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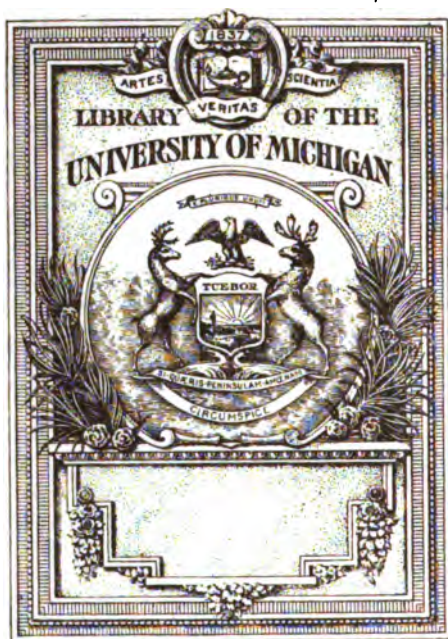
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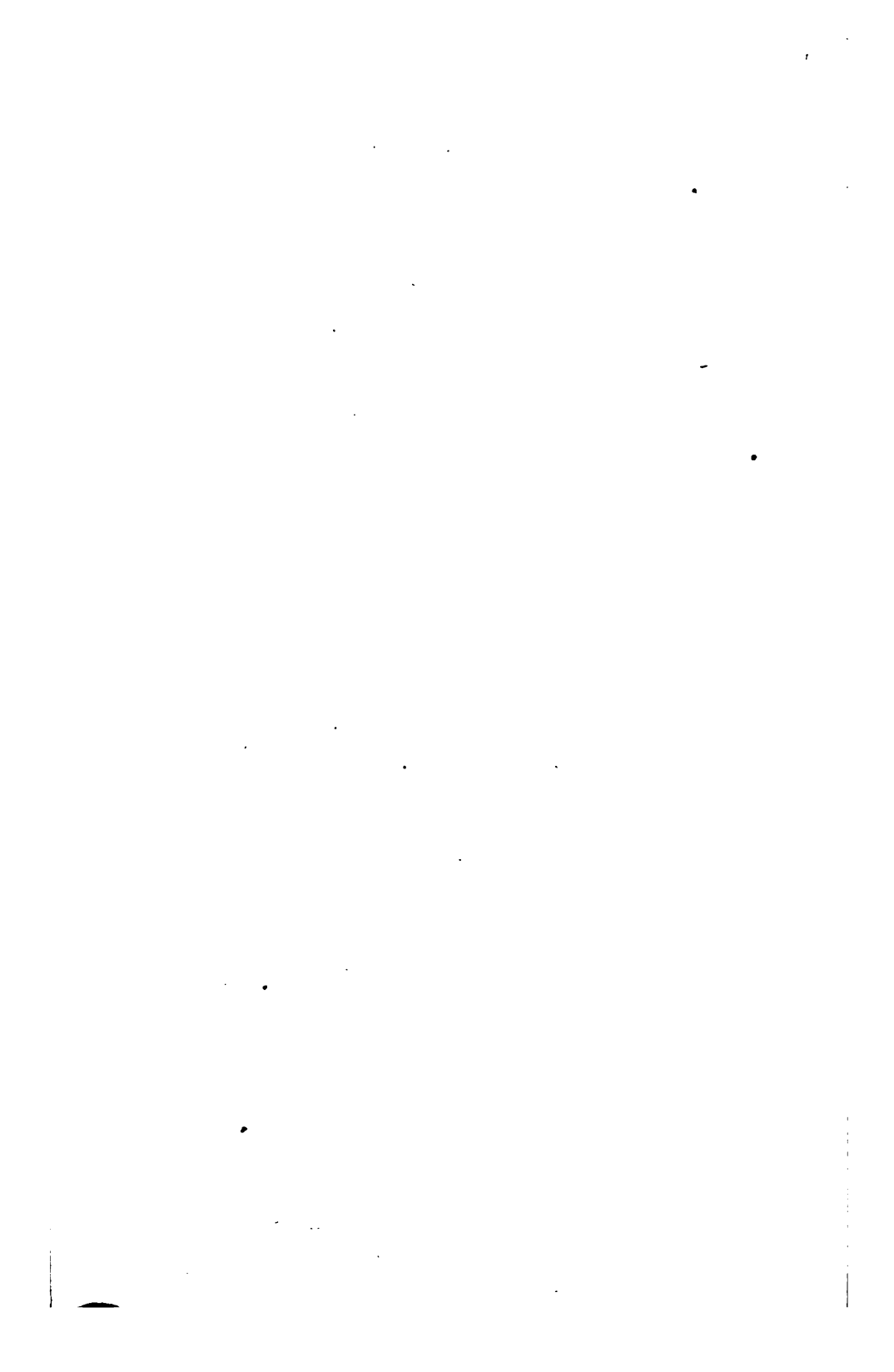
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JOURNAL

*Duplicate*

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MICHIGAN.

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1873.

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Printed by virtue of an Act of the Legislature, under the direction and supervision of

DANIEL L. CROSSMAN,

Clerk of the House of Representatives.

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PART III.

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BY AUTHORITY.

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W. S. GEORGE & CO., STATE PRINTERS AND BINDERS.

1873.

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## MOTIONS AND RESOLUTIONS.

Mr. Hoyt offered the following:

*Resolved*, That the use of this hall be granted to the Michigan State Conference of the Congregational Church, for the purpose of holding therein their next annual Conference, to be held the last week in May next;

Which was adopted.

Mr. Bartholomew moved to discharge the committee of the whole from the further consideration of House bill No. 343 entitled

A bill to amend an act to revise the charter of the city of Lansing, approved February 3d, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21, of title 3, section 7 of title 4, section 11 of title 5, and section 17 of title 6, of an act entitled 'An act to revise the charter of the city of Lansing,' approved February 3d, 1869," approved March 22d, 1871;

Which motion prevailed.

On motion of Mr. Bartholomew,

The bill was recommitted to the committee on municipal corporations.

Mr. Ferguson moved to take from the table House bill No. 278, entitled

A bill to organize the township of Harring in the county of Wexford;

Which motion prevailed.

On motion of Mr. Ferguson,

The bill was placed on the order of third reading.

Mr. Ferguson moved to discharge the committee of the whole from the further consideration of House bill No. 273, entitled

A bill to legalize and confirm the action of the boards of school inspectors of the townships of Owosso, Caledonia, and Bennington, in detaching from union school district of Owosso, fractional with Caledonia, certain territory and attaching the



same to school district No. 2 of Owosso fractional, with Bennington, and school district No. 1 of Owosso, Caledonia, Bennington, and Shiawassee respectively ;

Which motion prevailed.

On motion of Mr. Ferguson,

The bill was laid on the table.

Mr. Gilmore introduced

Joint resolution authorizing the issue of a patent to Joseph R. Smith upon school-land certificate 1616.

The joint resolution was read a first and second time by its title, and referred to the committees on State affairs and judiciary jointly.

Mr. Ferguson moved that House bill No. 318, entitled

A bill to provide for the payment of a bounty to certain soldiers who enlisted in Michigan regiments, companies, and batteries, and were mustered into the service of the United States during the years 1861, 1862, 1863, 1864, and 1865, and to widows, children, and dependent parents of deceased soldiers ;

Be made the special order for the 11th day of April at 7½ o'clock P. M. ;

Which motion did not prevail.

#### GENERAL ORDER.

On motion of Mr. Brunson,

The House went into committee of the whole on the general order,

Mr. C. W. Watkins in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled joint resolution :

House joint resolution No. 22, entitled

Joint resolution for the payment of printing done by R. A. Beal,

Have made no amendments thereto, and have directed their

chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills :

1. House bill No. 288, entitled

A bill to regulate the practice of dentistry in the State of Michigan ;

2. House bill No. 291, entitled

A bill to provide for the distribution of the laws regulating the general elections, and the registration of voters,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bill :

3. House bill No. 289, entitled

A bill to provide for the taxation of persons, associations, and corporations doing business in this State, in running sleeping and palace cars over or upon the several railroads in this State ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

4. House bill No. 292, entitled

A bill to convey the title of the State of Michigan in and to certain estates to Mary Jane Conroy,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

C. W. WATKINS, *Chairman.*

Report accepted and committee discharged.

The joint resolution and third named bill were placed on the order of third reading.

On motion of Mr. O'Dell,

The House concurred in the action of the committee, relative to the first two named bills, and their titles were laid on the table.

On motion of Mr. Smith,

The House concurred in the amendments made to the last named bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Simpson,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

*2 o'clock P. M.*

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

PRESENTATION OF PETITIONS.

By Mr. Dinturff: Petition of H. H. Harmon, D. S. Shields, and S. F. Hubbell, attorneys of the Livingston county bar, for the passage of Senate bill No. 49;

Referred to the committee on judiciary.

By Mr. Van Aken: Memorial of Charles Upson and 13 other practicing attorneys of Branch county, for the passage of Senate bill No. 49;

Referred to the committee on judiciary.

By Mr. Mitchell: Petition of J. C. Fitzgerald and 18 other members of the bar of the city of Marshall, asking that all terms of the Supreme Court be held in the city of Lansing;

Referred to the committee on judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on State Prison:

The committee on State Prison, to whom was referred Senate bill No. 62, entitled

A bill to amend section 50 of chapter 267, entitled "The State Prison and the government and discipline thereof," being section 8095 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State Prison and Reform School :

The committee on State Prison and Reform School, to whom was referred

A bill to establish a State Reformatory,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute, do pass, and ask to be discharged from the further consideration of the subject.

The reasons for recommending the passage of this bill are briefly as follows :

*First.* A house of correction, an institution in which industrial pursuits are established, for the reception and punishment of those convicted of crime, has become a necessity.

The amount paid to the house of correction of Detroit by the several counties of the State for maintaining convicts sent by these counties, is about \$10,000 annually. This, added to the amount expended in maintaining those sentenced to the county jails, must amount to a very large sum ; moreover, a county jail should be a place for the detention of witnesses, debtors, and those held for trial merely. Surely, it is an outrage to compel the innocent to associate for weeks, and perhaps months, with the vile and degraded convict.

The State Prison and the house of correction of Detroit are not only self-sustaining but furnish a small income. Your committee have no fears that the institution proposed in this bill would do any less.

*Second.* It would furnish a place for the reception of the older and more vicious of juvenile offenders. This is a need very seriously felt in the management of the Reform School. The influence of this class upon the younger and comparatively innocent boys is very pernicious, and is a hindrance to their progress in their reformation.

It would also furnish a place for the young State Prison convicts, whose chances for reformation would be much increased by removing them from the influence of adepts in crime.

By thus classifying offenders, the kind of treatment best adapted to each class could be practiced, which it is impossible to do under our present system.

FAYETTE PARSONS,

*Chairman State Prison Committee.*

WM. CHAMBERLAIN,

*Chairman Reform School Committee.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of Merrick, Fowler & Esselslyn, J. J. Lyon, Moore & Alger, and Moore, Foot & Co., of Detroit; J. L. Wood, of Lexington; Wm. Sanborn, of Port Huron; Lord, Gay & Co., of Au Sable; and Smith, Kelley, & Dwight, of Oscoda, for a State road in the county of Alcona, and appropriation of non-resident highway taxes to construct the same;

Also, a petition of the same persons and firms, together with Bachus & Brother, for a State road in the county of Alcona, to be known as the Pine River State road ;

Also,

A bill for the laying out, establishing, and constructing a State road in the county of Oscoda, and appropriating certain non-resident taxes to construct the same ;

Also,

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, and appropriating non-resident highway taxes therefor ;

Also,

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act No. 404 of the session laws of 1869, approved April 2, 1869; also, a remonstrance of citizens and tax-payers of the county of Alcona, against laying out and constructing a State road in the county of Alcona to be known as the Pine River State road, or by any other name; also, against amending (unless it be to repeal) said act No. 404, of 1869,

Respectfully report that they have the same under consideration, and find them so connected, and so similar in principle and object, that the committee think they may consider them altogether as well as separately.

The first bill provides "that John McCaul, of Oscoda township, Iosco county, commissioner of the State road in Alcona county established by act 438 of the session laws of 1869, shall extend, lay out, establish, and construct said road created by said act, through the county of Oscoda to the meridian line," and appropriates "all the highway taxes that shall be assessed upon non-resident lands in the county of Oscoda" for "four years from the passage of this act; also, the unex-

pended non-resident highway tax of 1872, to be expended under the direction of said commissioner in constructing said road."

The second bill appoints the same John McCaul commissioner to lay out and construct a State road, from a point near the quarter post on the south side of section 31, in township 25 north, of range 9 east, running thence up the east side of Pine river to township 26 north, and thence to the northwest corner of township 26 north, of range 7 east, and appropriates all the highway taxes that shall be assessed upon non-resident lands in township 25 and 26 north, of ranges 7 and 8 east, for four years from the passage of the act, to be expended by the commissioner in the construction of the road.

The third bill amends section 2 of act No. 404 of laws of 1869, so as to appropriate all the non-resident highway tax for eight years from 1868, in townships 25 and 26 north, of ranges 5 and 6 east, to be expended in the construction of the road provided for in said act No. 404.

The following is a copy of the remonstrance:

*To the Senate and House of Representatives of the State of Michigan :*

We, the undersigned, citizens and tax-payers of the county of Alcona, do petition your honorable body that you do not pass any bill for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, nor by any other name. We also petition your honorable body that you do not pass any bill to amend (unless it be to repeal) an act entitled "An act to provide for the laying out, establishing, and constructing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act No. 404 of the session laws of 1869. And we respectfully call your attention to the following, as some of the reasons which, in our judgment, should be sufficient to defeat all such bills: *First*, These State roads are designed only for the benefit of a few non-resident lumbermen, relieving them from the



sense of private road-building for purely private and personal purposes, and are an unjust discrimination against hundreds of others, both resident and non-resident lumbermen, who are yearly paying taxes the same as those who are benefited by these roads, and are also building with their private and personal means, roads to be used by them in the prosecution of their private business. Again, these roads are not designed to promote the settlement and improvement of our agricultural lands, thereby adding to the aggregate value of taxable property, but on the contrary are intended to enable the owners to strip valuable timber lands of their value, thus decreasing the sum total of taxable property.

Your petitioners further represent to your honorable body that, in the case of the State road provided for by act No. 404, as above recited, no citizen of this county ever asked or desired that said road should be built; that there is not a permanent settler residing on the entire line of said road; that the said road was built solely for and as a lumber road; said act No. 404 was not complied with in the location of said road, in that it was not run by "the most direct and eligible route," as the said act provided; and further, that the commissioner appointed by said act to carry its provisions into effect, was a resident of another county, and at the time of such appointment, in the private employ of a non-resident lumbering firm; that he has ever since been in the service of said firm; that the said firm owned and still own large tracts of pine lands contiguous to the line of said road; that these facts, in the judgment of your petitioners, should be sufficient to excuse from service in a public capacity, when the interests of the whole community are in the balance, and when, as in this case, the expenditures incurred are to be met from the public treasury. Your petitioners further represent to your honorable body that, by the general laws, there is in every organized township a "board of highway commissioners," with ample authority to lay out, alter, or discontinue any public highway

which, in their judgment, may be proper and necessary, and that being located in the town and county where the proposed road is to be located and constructed, they have means of actual personal examination of the proposed location, together with maps and surveys of other roads, with which connection is to be had by the new road sought to be obtained, which enable them to act on the matter in the light of facts and surroundings, which your honorable body seldom possesses, either by personal knowledge or reasonably accurate information. And your petitioners would respectfully submit that if you are to legislate for the appropriation and expenditure of any of the public moneys raised by taxation within this county, that you ought, in justice to the interests involved, to provide in such law, that the public work to be laid out and the public money to be expended, should be so laid out and expended under the direction and control of the board of supervisors of the county, or some other proper authority directly responsible to the citizens and tax-payers thereof. In the trust that your honorable body will fairly consider the rights and interests of those most concerned, your petitioners will ever pray, etc.

HARRISVILLE, Mich., February 11, 1873.

These bills require the township and county treasurers to pay to the commissioner, McCaul, all the moneys appropriated by the bills, and direct McCaul to expend the same in surveying, laying out, and constructing the roads, and provide that he shall have three dollars a day for his services.

The committee are not acquainted with the localities described in the bills, and know nothing of the particular situation and circumstances of that section of country. But from the fact that highway taxes are assessed and collected there, they infer that the territory, the non-resident highway tax of which is appropriated, is embraced within organized townships and road districts, inasmuch as there is no general provision for the collection of highway taxes, outside of cities and villages, except in road districts.

The committee do not deny that apparent temporary local benefit may sometimes result from the appropriation of all the non-resident highway taxes of a large territory to the construction of one single road through the territory, if the money be honestly expended. But this is not enough to justify such appropriation by legislative action.

The constitution, Art. 14, sec. 14, provides: "Every law which imposes, continues, or revives a tax, shall distinctly state the tax, and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object."

The general road law provides that "commissioners of highways shall have the care and superintendence of the highways in their townships; shall divide their townships into road districts; lay out, alter, and regulate roads; and cause the highways and bridges to be kept in repair."—*Com. Laws, 422, 423.*

"Every person owning or occupying land in the township in which he resides, and every male inhabitant above the age of 21 and under 50 years, except as hereinafter provided, residing in the township where the assessment is made, shall be assessed to work on the highways in such township; and the lands of non-residents, situated in such townships, shall be assessed for highway labor as hereinafter provided."—*Com. Laws, 429, sec. 1216.*

The immediately succeeding sections provide for the assessment of this highway tax by the commissioners of highways. The poll tax (so called) is first assessed; then the balance of the tax is assessed on the real and personal estate of residents in each road district, and the real estate of non-residents of the district, in proportion to its assessed valuation, not to exceed one day's work for \$100 of the valuation.

Subsequent sections of the same law provide for the expenditure of the tax so assessed, in the purchase of implements, and in the construction, repair and improvement of roads and bridges in the road district in which it was assessed. They provide for commutation and the expenditure of the commu-

tation money in the same way and same district. Provision is also made for collecting the tax by suit against residents who neither do the work nor commute, and for the expenditure of the money collected in the same road district and in the same way. Provision is then made for the collection of the unpaid taxes on non-resident lands, and also of such taxes upon property assessed as resident as have not been paid, and for the expenditure of the money in the same road district and in the same way.—*See Com. Laws, pages 432 to 435, secs. 1226 to 1241.*

Here we have a law imposing a tax, and distinctly stating the tax and the object to which it is to be applied, in direct conformity with the section of the constitution which I have read.

It is true that this law was in existence when the constitution was made; but then we have in the schedule subjoined to the constitution, section 1, this: "The common law and the statute laws now in force, not repugnant to this constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the Legislature;" and section 13 of the schedule, this: "It shall be the duty of the Legislature, at their first session, to adapt the present laws to the provisions of this constitution, as far as may be."

This general road law was not repugnant to the constitution; it needed no adaptation, and received none; but remained and still remains in force, with like effect and subject to the same construction as if passed after the constitution was adopted. Some sections of the law have since been amended, but no amendment has been made that affects the question, unless it be one which will be considered hereafter.

Now, these bills under consideration do not propose to amend the general road law; they do not propose to interfere with the assessment and collection of the highway taxes by the township and county authorities, under the general law; but after the taxes have been assessed and collected by the township and county authorities, and at the expense of the

townships and counties, they propose to step in and divert the money from the object to which it is to be applied, as stated in the law imposing the tax. They propose to take the money and put it into the hands of McCaul, the special commissioner named in and to be appointed by the enactment of these bills, not to be expended in the construction and improvement of roads and bridges in the road districts, in and for the benefit of which it was assessed and collected, but to be expended by him in laying out and constructing the roads named, which are to be laid out by himself, and in paying himself three dollars a day for his services.

Conceding for the present purpose the power of the Legislature to amend the general road law so as to direct the highway tax imposed by it to be applied to some other object, the committee are clearly of the opinion that while that law remains as it is, not a dollar of the highway tax assessed and collected in any one road district can constitutionally be diverted by a special act from the object stated in the law imposing the tax, to wit: *The purchase of implements, and the construction, repair, and improvement of the roads and bridges in the same district in which it is assessed and collected.*

The amendment of the road law alluded to above consists in the addition to section 1228, p. 432 and section 1241, p. 435, compiled laws, of these words, "Except when said taxes are otherwise appropriated or disposed of by law."

This amendment was made in 1857, by an act entitled "An act to amend sections 3 and 16 of chapter 24, title 6, of the revised statutes of 1846, so as to increase the rate of commutation for labor assessed on the highways."

It was introduced with that one object expressed in its title. It did increase the rate of commutation from seventy-five cents for each day, to one dollar for each day. In its progress through the House, the above words were added to each section, by amendment. But the title was not amended. It now stands on the statute book, as written above, with that one object only expressed in it.

In the opinion of the committee, these words either do not change the law at all, or make it unconstitutional. The only effect they can have upon the law, is to make the object to which the tax imposed by the law is to be applied uncertain, unsettled, misstated, to be fixed and determined by some other law. If they have that effect, most clearly they make the law unconstitutional. The constitution requires that the object shall be stated in the very law imposing the tax. Therefore, the object cannot be changed except by an amendment of the law; so that the new object to which the tax is to be applied shall be distinctly stated in the law imposing the tax.

See the last clause of section 14, article 14, of the constitution: "It shall not be sufficient to refer to any other law to fix the tax or object."

The committee believe that the exception added to those two sections of the general road law are wholly nugatory.

"The Legislature shall provide an uniform rule of taxation."—*Constitution, Art. 14, Sec. 11.*

Having by the road law provided a uniform rule of taxation for highway purposes, after the highway tax has been assessed and collected in a road district, can the Legislature interpose, and by special act direct the money to be expended in another district? Would it not be an unwarrantable breach of the rule of uniformity?

"The property of no person shall be taken for public use, without just compensation therefor."—*Constitution, Art. 18, Sec. 14.*

Section 2 of the same article provides that when "private property is taken for public use, the necessity for using it, and the just compensation therefor, shall be ascertained as therein provided."

That private property shall not be taken by legislative act, to be given to another for private use, is too clearly within the inhibitions of the law of nature, and too universally conceded to require to be put into a constitution, except as it is embraced in the general provision that "no person shall be

deprived of life, liberty, or property, without due process of law."

The committee believe that when a highway tax is assessed and collected regularly, according to the general road law, the money belongs to the district. As between the district and its inhabitants, it is public property of the district. As to all the rest of the world, it is private property of the district, and the district can no more be deprived of its private property than an individual, "without due process of law."

Private property may be taken for *public use*, in two ways only: By taxation, and by the exercise of the right of *eminent domain*.

The money collected for highway taxes is taken from the pockets of individuals by taxation. The right to do this is unquestioned, but it is taken into the township treasury as a part of the township highway fund, belonging to the road district in which it is collected.

These bills propose to take it from the township treasury, not by taxation, certainly. If, by right of eminent domain, compensation must be made, the amount to be ascertained, as provided in section 2 of article 18 of the constitution. But these bills make no such provision for compensation. And, besides, the better opinion is that *money* cannot be taken by right of *eminent domain*.—2 Mich. Rep., 566, 4 Comstock's Rep., 424.

The committee think it unnecessary to pursue this argument further.

It has been suggested on the floor of this House, that we, as legislators, had better not exercise ourselves much about the constitutionality of the laws we pass, but leave constitutional questions for the consideration of the courts. If the committee had any rational doubt of the unconstitutionality of this sort of legislation, doubtless their modesty and prudence would deter them from placing themselves on record in an opinion adverse to the repeated action of the House.

But as the committee are thoroughly convinced, both of the



unconstitutionality, always, and the injustice and unsound policy generally, of this class of bills, and as they have sworn to support the constitution, they consider it right, at least, if not an obligation, to place on record in this form, their protest against it.

The committee respectfully report the petitions, bills, and remonstrances back to the House, and recommend that the bills do not pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER,  
ARNOLD WALKER,  
LEVI WALKER.

Report accepted and committee discharged.

Mr. Lockwood moved that the three named bills be ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Gilmore demanded the yeas and nays.

The demand was seconded and the motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Priest,
Bartholomew,	Green,	Romer,
Bonine,	Hertzler,	Rich,
Bottomley,	Hoar,	Robertson,
Burns,	Howard,	Shaw,
Cady,	Hoyt,	Simpson,
Caplis,	Kellogg,	Speed,
Chafey,	Knapp,	Thompson,
Cobb,	Lewis,	Van Aken,
Dinturff,	Lockwood,	Warren,
Drake,	R. C. Miller,	C. W. Watkins,
Fancher,	Morse,	Welker,
Ferguson,	Noyes,	Wixson,
Fey,	O'Dell,	Zimmerman,
Goodrich,	Parsons,	

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#### NAYS.

Mr. Bailey,	Mr. Haire,	Mr. Smith,
Briggs,	Hewitt,	Thomas,
Climie,	Markey,	Van Scoy,

Mr. Edwards,	Mr. Mitchell,	Mr. A. Walker,	
Garfield,	Perry,	J. Walker,	
Garvelink,	Ripley,	Walton,	
Gilmore,	Robinson,	West,	
Greusel,	Sanderson,		23

The several petitions were laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 213, entitled

A bill to provide for laying out and constructing a State road in the county of Midland, and appropriating certain non-resident highway taxes therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Scoy,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 140, entitled

A bill to amend section one of act No. 333 of the session laws of 1869, entitled "An act appropriating certain highway taxes for the improvement of the Ovid and St. Charles State road," and to repeal so much of act No. 443 of the session laws of 1869, approved April 3, 1869, as relates to the non-resident highway taxes of township 10 north, of range 1 west,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Morse,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill No. 224, entitled

A bill to amend section 114 of an act entitled " An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1080 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

The object of the bill is to re-assess on the same description of land taxes struck off because they were illegally in excess, and that the omission of lands from the assessment roll (whether fraudulently or otherwise) shall not invalidate the tax roll. Both of which objects your committee deem very objectionable.

I. A. FANCHER, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bottomley,

The bill was laid on the table.

By the committee on ways and means :

The committee on ways and means, to whom was recommended House bill No. 224, entitled

A bill to legalize and facilitate the collection of taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment and without recommendation, and ask to be discharged from the further consideration of the subject.

This bill, which provides that no officer with warrant, regu-

lar upon its face, shall be liable at law for the collection of taxes, and that no tax roll shall be void in consequence of any error or omission, or the insertion of any improper matter beyond the particular erroneous or improper matter specified, and that in actions to recover money illegally or improperly collected, shall be only the excess over what was legally inserted. The bill was once before under consideration by the committee and was recommitted to them, and as above noted they have no recommendation to make with respect to it.

JAMES BURNS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2441 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The object of this bill is to tax earned railroad lands. We make no argument,—simple justice demands the law.

I. A. FANCHER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred a bill entitled

A bill regulating freights on railroads,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

This bill, as the title shows, proposes to regulate freights on railroads.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

### THIRD READING OF BILLS.

House joint resolution No. 22, entitled

Joint resolution for the payment of printing done by R. A. Beal,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Remer,
Bartholomew,	Greusel,	Ripley,
Bonine,	Hertzler,	Sanderson,
Bottomley,	Hewitt,	Shaw,
Briggs,	Hoar,	Smith,
Brunson,	Howard,	Thomas,
Burns,	Hoyt,	Van Scoy,
Cady,	Kellogg,	A. Walker,
Carter,	Knapp,	J. Walker,
Cobb,	Lewis,	L. Walker,
Dinturff,	Lockwood,	Walton,
Edwards,	Markey,	Warren,
Fancher,	R. C. Miller,	E. C. Watkins,
Ferguson,	Mitchell,	Welch,
Fey,	Morse,	Welker,
Garfield,	Noyes,	Wixson,
Garvelink,	Parsons,	Zimmerman,
Gilmore,	Perry,	Speaker,
Goodrich,	Priest,	

56

#### NAYS.

Mr. Bailey,	Mr. Haire,	Mr. Thompson,
Chafey,	Simpson,	C. W. Watkins,
Gordon,		

7

Title and preamble agreed to.

On motion of Mr. Hoar,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House bill No. 292, entitled

A bill to convey the title of the State of Michigan, in and to certain estates, to Mary Jane Conroy,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Smith,

The bill was laid on the table.

House bill No. 289, entitled

A bill to provide for the taxation of persons, associations, and corporations doing business in this State, in running sleeping and palace cars over or upon the several railroads in this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Robinson,
Bailey,	Haire,	Robertson,
Bartholomew,	Hertzler,	Sanderson,
Bonine,	Hewitt,	Shaw,
Bottomley,	Hoar,	Simpson,
Briggs,	Howard,	Smith,
Brunson,	Hoyt,	Thomas,
Burns,	Kellogg,	Thompson,
Cady,	Knapp,	Van Aken,
Carter,	Lewis,	Van Scoy,
Chafey,	Lockwood,	A. Walker,
Climie,	Markey,	J. Walker,
Cobb,	R. C. Miller,	L. Walker,
Dinturff,	Mitchell,	Walton,
Drake,	Morse,	Warren,
Fancher,	Noyes,	C. W. Watkins,
Ferguson,	O'Dell,	E. C. Watkins,
Fey,	Parsons,	Welch,
Garfield,	Perry,	Welker,
Garvelink,	Priest,	West,
Gilmore,	Remer,	Wixson,

Mr. Goodrich,  
Gordon,  
Green,

Mr. Rich,  
Ripley,

Mr. Zimmerman,  
Speaker, 69

### NAYS.

Mr. Edwards,

1

Title agreed to.

On motion of Mr. Francher,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 278, entitled

A bill to organize the township of Harring in the county of Wexford;

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Ferguson moved to amend the bill by striking out in line 3 section 2, the names of inspectors of election, and inserting the following in lieu thereof, "Ephraim Sharp, Hiram Wilcox, and Samuel Wall;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Cady,  
Carter,  
Chafey,  
Climie,  
Cobb,  
Dinturff,  
Drake,  
Edwards,  
Fancher,  
Ferguson,  
Fey,

Mr. Gordon,  
Green,  
Greusel,  
Haire,  
Hertzler,  
Hewitt,  
Hoar,  
Howard,  
Hoyt,  
Kellogg,  
Knapp,  
Lockwood,  
Markey,  
R. C. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,

Mr. Ripley,  
Robinson,  
Robertson,  
Sanderson,  
Shaw,  
Simpson,  
Smith,  
Thomas,  
Van Scoy,  
A. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,



Mr. Garfield, Garvelink, Gilmore, Goodrich,	Mr. Parsons, Perry, Priest, Remer,	Mr. West, Wixson, Speaker,	65
	NAYS.		0

Title agreed to.

On motion of Mr. Ferguson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Gordon offered the following:

*Resolved*, That when this House adjourns to-day, it be to re-assemble at half-past eight to-morrow morning, and that the adjournment contemplated by the concurrent resolution heretofore adopted, take place to-morrow morning at ten o'clock;

Which was adopted.

Mr. Ferguson moved that the committee on towns and counties be discharged from the further consideration of

A bill for the organization of a new county, to be called the county of Watkins;

Which motion did not prevail.

Mr. Green asked and obtained leave of absence for Mr. Wheeler, indefinitely, on account of sickness.

#### GENERAL ORDER.

On motion of Mr. Haire,

The House went into committee of the whole on the general order,

Mr. Mitchell in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. Senate bill No. 103, entitled

A bill to amend section 5 of chapter 136, relative to primary schools, being section 3586 of the compiled laws of 1871,

Have made no amendments thereto, and have directed

their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills :

2. House bill No. 294, entitled

A bill to amend section 124 of chapter 178 of the compiled laws of 1871, being compiler's section 5372, relative to transferring suits from one justice of the peace to another of the same or adjoining township ;

3. House bill No. 84, entitled

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relative to primary schools,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill :

4. House bill 139, entitled

A bill requiring the township of Springwells to pay for the improvement of Fort street,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution :

House joint resolution No. 23, entitled

Joint resolution for the relief of St. Clair county, and to authorize the Board of State Auditors to settle with the bail of Henry Johr, late treasurer of St. Clair county,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

P. MITCHELL, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading.

On motion of Mr. Haire,

The House concurred in the amendments made to the second and third named bills and the joint resolution by the committee, and they were placed on the order of third reading.

The question being on concurring in the action of the committee, relative to the fourth named bill, in striking out all after the enacting clause,

Mr. Greusel moved that the House do concur.

Mr. Caplis demanded the yeas and nays.

The demand was seconded, and the motion did not prevail by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Parsons,
Bailey,	Hertzler,	Rich,
Briggs,	Kellogg,	Ripley,
Chafey,	Knapp,	Simpson,
Garfield,	Markey,	L. Walker,
Garvelink,	R. C. Miller,	Walton,
Green,	O'Dell,	Welker,
		21

#### NAYS.

Mr. Bonine,	Mr. Gordon,	Mr. Sanderson,
Bottomley,	Haire,	Shaw,
Brunson,	Hewitt,	Smith,
Burns,	Hoar,	Thompson,
Cady,	Howard,	Van Aken,
Caplis,	Hoyt,	Van Scoy,
Carter,	Lockwood,	A. Walker,
Cobb,	Mitchell,	J. Walker,
Dinturff,	Morse,	Warren,
Drake,	Noyes,	C. W. Watkins,
Edwards,	Perry,	E. C. Watkins,
Fancher,	Priest,	Welch,
Ferguson,	Remer,	Wixson,
Fey,	Robinson,	Zimmerman,
Gilmore,	Robertson,	Speaker,
Goodrich,		46

On motion of Mr. Caplis,

The bill was then placed on the order of third reading.

Mr. Fancher, leave being granted, offered the following :

*Resolved*, That the Auditor General be and he is hereby requested to furnish to this House a tabular statement of the monthly account of the State with the banks of deposit holding moneys belonging to this State during the last year ;

Which was adopted.

On motion of Mr. Welker,

The House took a recess until 7½ o'clock this evening.

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EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : quorum present.

The hour having arrived for the

SPECIAL ORDER.

On motion of Mr. Ripley,

The House went into committee of the whole on the special order,

Mr. Bottomley in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have also had under consideration the following entitled joint resolution :

4. House joint resolution No. 20, entitled

Joint resolution granting the privilege of the elective franchise to the women of this State,

Have adopted a substitute therefor, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

T. H. BOTTOMLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Bartholomew,

The House concurred in the adoption of the substitute

reported by the committee, and the joint resolution was placed on the order of third reading.

Mr. Noyes moved that the rules be suspended, and the joint resolution be put on its immediate passage ;

Pending which,

On motion of Mr. J. Walker,

The House adjourned.

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*Lansing, Friday, April 4, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bangs.

Roll called : quorum present.

Absent without leave : Messrs. Bailey, Bottomley, Climie, Eggleston, Fancher, Fey, Haywood, Lockwood, Perry, Remer, Robertson, Smith, Walton, Striker, Thomas, and Wixson.

On motion of Mr. Howard,

Leave of absence was granted the absentees for the day.

Mr. Hoyt asked and obtained leave of absence for Mr. Wixson until Friday next.

Mr. Welch asked and obtained leave of absence until Friday next.

Mr. J. Walker asked and obtained leave of absence until Thursday next.

Mr. Van Scoy asked and obtained leave of absence until Friday next.

#### PRESENTATION OF PETITIONS.

By Mr. J. Walker: Petition of H. F. Severns, C. S. May, Arthur Brown and 19 other attorneys of Kalamazoo county, asking that all terms of the supreme court may be held at Lansing ;

Referred to the committee on judiciary.

By Mr. Sessions: Petition of F. S. Hutchins, A. B. Morse and 10 other attorneys of Ionia, asking that all terms of the supreme court may be held at Lansing;

Referred to the committee on judiciary.

By Mr. Howard: Remonstrance of O. B. J. Atkinson and 127 others of St. Clair county, against the passage of Senate bill No. 94, relative to the protection of members of religious societies in the enjoyment of their civil rights;

Referred to the committee on religious and benevolent societies.

The following is the remonstrance:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

The undersigned, citizens of St. Clair county, respectfully petition your honorable body, and request that the act now pending in the Legislature in reference to discipline in the Catholic Church, and known as "Senator Emerson's Bill," may be defeated. We also request that no change be made in the manner of holding Church property or the laws relating thereto, as we are fully satisfied the Catholics of the State at large are well pleased with existing legislation, and that no other part of the people are at all affected or injured thereby; while the action proposed will greatly and unjustly infringe upon the settled belief and conviction of the Catholic population.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred

A bill to repeal an act entitled "An act to legalize the organization of union school district No. 1 of Wyoming and Georgetown, in the counties of Kent and Ottawa, in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

not pass, and ask to be discharged from the further consideration of the subject.

The district quarrel which prompted this bill has been settled, and there is now no need of legislation.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The bill was laid on the table.

By the committee on education :

The committee on education, to whom was referred

A bill to provide for the formation of School District No. 8, in the township of White Lake, in Oakland county, and State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A general law has been passed which provides for the wants of that locality in this direction.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The bill was laid on the table.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 186, entitled

A bill to detach certain real estate from school district No. 3 of Parma, and attach the same to school district No. 1 fractional of Parma, Sandstone, Concord, and Spring Arbor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A House bill of the same purport has passed both Houses.

A. K. WARREN, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 305, entitled

A bill to revise and amend the charter of the city of Jackson;

2. House bill No. 226, entitled

A bill to incorporate the village of Imlay City, in Lapeer county;

3. House bill No. 38, entitled

A bill to amend section numbered 12 of chapter 249, of the compiled laws of 1871, relative to offences against chastity, morality, and decency, being section 7702;

4. House bill No. 341, entitled

A bill to provide for the taxation of copper for county and township purposes;



## 5. House manuscript bill, entitled

A bill to repeal act No. 261 of the session laws of 1871, the same being an act entitled "An act to incorporate the village of Laingsburg," approved April 8, 1871 ;

## 6. House manuscript bill, entitled

A bill to incorporate the city of Ishpeming, in the county of Marquette.

C. D. LUCE, *Acting Chairman.*

Report accepted.

By the committee on religious and benevolent societies :

The committee on religious and benevolent societies, to whom was referred House bill No. 237, entitled

A bill for the incorporation of ecclesiastical bodies and societies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. C. Miller,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Welker,

The bill was placed on the order of third reading.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was re-referred House bill No. 243, entitled

A bill to amend an act to revise the charter of the city of Lansing, approved February 3, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21 of title 3, section 7 of title 4, section 11 of title 5, and section 17 of title 6, of an act enti-

tled 'An act to revise the charter of the city of Lansing,' approved February 3, 1869, approved March 21, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. P. HOYT, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

#### MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, April 2, 1873.* }

*To the House of Representatives:*

I have this day signed, approved, and deposited with the Secretary of State, the following:

1. An act to amend certain sections of an act entitled "An act to organize union school district of Bay City," approved March 20, 1867;

2. An act to amend section 2 of act No. 387 of the session laws of 1871, entitled "An act to incorporate the public schools of the city of Corunna," approved March 29, 1871;

3. An act to amend section 8 of an act entitled "An act to incorporate the village of Saranac, in Ionia county," approved March 4, 1869, being act number 246 of the session laws of 1869;

4. An act relative to the issuing of executions on judgments obtained upon writs of attachment when not personally served;

5. An act to amend section 14 of act No. 259 of the session

laws of 1871, being "An act to incorporate the village of Williamston," approved April 5, 1871;

6. An act to change the same of the First Presbyterian Society of Mill Point, to the First Presbyterian Society of Spring Lake;

7. An act to amend an act No. 152 of session laws of 1869, entitled "An act to authorize the incorporation of building and savings associations, under the provisions of chapter 56 of the compiled laws and the acts amendatory thereof," approved April 5, 1869, being chapter 93 of the compiled laws of 1871, by adding one new section thereto, to stand as section 6;

8. An act to detach certain territory from the township of Berlin, and attach the same to the township of Easton, in the county of Ionia;

9. An act to amend an act entitled "An act to lay out and establish a State road in the counties of Midland and Saginaw, and to appropriate certain non-resident highway taxes therefor," by adding a new section thereto;

10. An act to amend sections 6 and 7 of act No. 188 of the session laws of 1857, entitled "An act to provide for the incorporation of mechanics' association," approved February 7, 1857, being sections 2800, and 2801 of the compiled laws of 1871;

11. An act to detach certain territory from the city of Hillsdale, and to annex the same to the township of Hillsdale, in the county of Hillsdale;

12. An act to amend sections 48 and 61 of act No. 459 of the laws of 1869, the same being "An act to incorporate the city of Big Rapids," and sections 4 and 32 of act No. 241 of the session laws of 1871, amendatory thereof;

13. An act to amend sections 77 and 91 of the primary school law, being sections 3646 and 3654 of the compiled laws of 1871;

14. An act to amend section 31 of chapter 136, being section 3611 of the compiled laws of 1871, relating to primary schools;

15. Joint resolution authorizing the issue of a patent to Parson King, upon school-land certificate numbered 1883.

JOHN J. BAGLEY.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, April 3, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 323, entitled

A bill to amend sections 14, 24, 57, and 84 of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act No. 249 of the session laws of 1871,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 3, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 145, entitled

A bill to incorporate the village of Deerfield;

And to inform the House that the Senate has amended the same as follows:

1. By striking out the word "second" in line 2 of section 2, and inserting in lieu thereof the word "fourth;"

2. By adding to section 10 the following:

"But the expense of maintaining, repairing, altering, or rebuilding any bridge or bridges across the river Raisin, within or contiguous to the corporate limits of said village, shall be defrayed by a tax or taxes levied and assessed upon the taxable property in the township of Deerfield, in the county of Lenawee, in the same manner as if said village were not incorporated;"

3. By striking out section 19, and inserting in lieu thereof the following:

Section 19. Whenever the lands of any person shall be required to be taken for the construction, widening, or extending streets, lanes, alleys, drains, or sewers, within the limits of said village, or for its use for any lawful purpose, the president and trustees shall give notice thereof to the owner or parties interested, or his, her, or their agent or representatives, by personal service, or by written notice posted up in three of the most public places in said village, and by publication in some newspaper published in said county of Lenawee, at least three weeks next preceding the meeting of the said president and trustees for any of the purposes aforesaid, specifying the time and place where said meeting shall be held; and the said president and trustees are hereby authorized to negotiate with such person or persons for such ground or premises; and if such person or persons shall neglect or refuse to negotiate for the same, or if the parties cannot agree therefor, it shall and may be lawful for said president and trustees to direct any justice of the peace of the township of Deerfield to issue a "*venire facias*," to command the marshal of said village to summon and return a jury of twelve disinterested persons, who shall be freeholders, to be taken without the limits of said village, to appear before him at any time therein to be stated; which justice shall preserve the right of challenge, enforcement of

attendance, and summoning of talesmen, as is provided by general law of this State for justices' courts in civil cases, except that no more than three peremptory challenges shall be permitted to the corporation, and a like number to the individual or individuals collectively, whose property is sought to be taken; and the challenge to the array shall be in writing and shall specify the cause thereof; which said jury shall be formed as aforesaid to inquire into the necessity of using such grounds or premises, and the just compensation to be made therefor to the owner or owners, or persons interested in such grounds or premises; which jury being duly sworn by said justice faithfully and impartially to inquire into the necessity of using such grounds or premises, and the just compensation to be made therefor; and having reviewed the premises, if necessary, shall inquire of such necessity, and assess such damages and compensation as they shall judge fit to be awarded to the owner of or parties interested in such grounds or premises for their respective losses, according to the several interests or estates therein; and the said justice shall, upon the return of such assessment or verdict, enter judgment therefor, confirming the same, and such sum or sums so assessed, together with all costs, shall be paid or legally tendered before such street, alley, or lane, or sidewalk, drain, sewer, or highway shall be made, opened, established, or altered, to the claimant or claimants thereof. It shall, thereupon, be lawful for the president and trustees to cause the same grounds or premises to be occupied and used for the purposes aforesaid: *Provided*, That the president and trustees, or any party claiming damages as aforesaid, may have the right to remove such proceedings by appeal to the circuit court for the county of Lenawee or any other court of competent jurisdiction, upon giving notice of his, her, or their intention to do so, to said justice, in writing, within ten days, or in case of the absence of said party from said village, at the time of the rendition of said judgment, then within thirty days after the verdict of the said jury, and the

judgment of the said justice aforesaid, upon the filing of a transcript of the proceedings aforesaid, duly certified by the said justice, within forty days after the verdict and judgment as aforesaid, in the circuit court or any other court of appellate jurisdiction, and the same proceedings shall be had as is prescribed by law in other cases of appeal: *Provided further*, That if final judgment for damages shall not exceed the damages assessed before the justice at least five dollars, then the party appealing shall pay all costs of such appeal;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Gilmore moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Bartholomew,	Mr. Hewitt.	Mr. Sessions,
Bonine,	Hoar,	Shaw,
Brunson,	Howard,	Simpson,
Buell,	Hoyt,	Speed,
Burns,	Kellogg,	Van Aken,
Cady,	Lewis,	Van Scoy,
Caplis,	Luce,	A. Walker,
Carter,	Markey,	J. Walker,
Chafey,	R. C. Miller,	L. Walker,
Cobb,	Mitchell,	Warren,
Dinturff,	Morse,	C. W. Watkins,
Ferguson,	Noyes,	E. C. Watkins,
Garfield,	O'Dell,	Welch,
Garvelink,	Parsons,	Welker,
Gilmore,	Priest,	West,
Goodrich,	Ripley,	Zimmerman,
Green,	Robinson,	Speaker, 52
Greusel,		

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 2, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 243, entitled

A bill to repeal sections 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2865, 2866, 2867, 2868, 2869, 2870, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, and 2891 of the compiled laws of 1871,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committees on mines and minerals, and manufactures jointly.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 3, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 173, entitled

A bill to repeal an act entitled, "An act to provide for laying out and establishing a State road from town twenty-four north, of range four east, to the meridian," being act 443 of the session laws of 1871, approved April 15, 1871 ;



In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 3, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 239, entitled

A bill to authorize the city of Hastings, in the county of Barry, to borrow money for bridge purposes within said city and issue bonds therefor ;

Senate bill No. 203, entitled

A bill to authorize the Inspectors of the State Prison to grant to life convicts the right to correspond with near friends and relatives ;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The second named bill was read a first and second time by its title, and referred to the committee on State Prison.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 3, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills:

House bill No. 125, entitled

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled "Boards of Supervisors ;"

House bill No. 300, entitled

A bill to repeal act No. 425 of the session laws of 1871, entitled "An act to detach certain real estate from school district No. 1, fractional of Parma, Sandstone, Concord, and Spring Harbor, and attaching the same to school district No. 3 of Parma,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 2, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 167, entitled

A bill to amend section 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate," approved February 15, 1859, being section 7439 of the compiled laws of 1871,

And to inform the House that the Senate has adopted therefor a substitute entitled

A bill to amend sections 2 and 8, of an act entitled "An act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws of 1871, and to authorize the salary of judges of probate," approved February 15, 1859, being sections 7436, and 7439, of the compiled laws of 1871,

In the passage of which, as amended by the substitute therefor, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Which motion did not prevail by yeas and nays, as follows:

YEAS.

Mr. Bartholomew,	Mr. Hertzler,	Mr. Sessions.
Bonine,	Hewitt,	Shaw,
• Brunson,	Hoar,	Simpson,
Burns,	Howard,	Speed,
Cady,	Kellogg,	Thompson,
Caplis,	Knapp,	Van Scoy,
Carter,	Lewis,	A. Walker,
Chafey,	Luce,	L. Walker,
Cobb,	R. C. Miller,	Warren,
Dinturff,	Mitchell,	C. W. Watkins,
Ferguson,	Morse,	E. C. Watkins,
Garfield,	O'Dell,	Welch,
Garvelink,	Priest,	Welker,
Gilmore,	Ripley,	West,
Gordon,	Robinson,	Zimmerman, 47
Green,	Sanderson,	

NAYS.

Mr. Buell,	Mr. Hoyt,	Mr. Rich,
Edwards,	Markey,	Van Aken,
Goodrich,	Noyes,	J. Walker,
Greusel,		10

Mr. Speed moved that the House concur in the adoption of the substitute for the bill transmitted from the Senate;

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 3, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 128, entitled

A bill to provide for the laying out and constructing a State road in Sanilac county, to be known as the Elmer State road;

And to inform the House that the Senate has amended the same, by inserting after the word "road" in line 2 of section 4, the words "not otherwise appropriated;"

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

Mr. Hoyt moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Bartholomew,	Mr. Hertzler,	Mr. Robinson,
Bonine,	Hewitt,	Sanderson,
Brunson,	Hoar,	Shaw,
Burns,	Howard,	Simpson,
Cady,	Hoyt,	Thompson,
Carter,	Kellogg,	Van Aken,
Chafey,	Knapp,	Van Scoy,
Cobb,	Lewis,	A. Walker,
Collins,	Luce,	J. Walker,
Dinturff,	Markey,	Warren,
Edwards,	R. C. Miller,	C. W. Watkins,
Ferguson,	Mitchell,	E. C. Watkins,
Garfield,	Noyes,	Welch,
Goodrich,	O'Dell,	Welker,
Gordon,	Parsons,	West,

Mr. Green, Grausel, Haire,	Mr. Priest, Rich, Ripley,	Mr. Zimmerman, Speaker,	
	NAYS.		53
			0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 3, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 261, entitled

A bill to amend an act entitled "An act to incorporate the village of Midland City," approved April 3, 1869, and acts amendatory thereto ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 3, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 316, entitled,

A bill to amend an act to amend an act entitled "An act to incorporate the city of East Saginaw," approved February 15th, 1859, as amended by act No. 56 of the session laws of 1861, and act No. 79 of the session laws of 1865, approved March 1, 1865,

and act No. 391 of the session laws of 1867, approved March 27, 1867, and act No. 284 of the session laws of 1869, approved March 16, 1869, and act No. 262 of the session laws of 1871, approved April 12, 1871, and act No. 38 of the session laws of 1872, approved March 29, 1872,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, April 3, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

Senate bill No. 221, entitled

A bill to grant a special charter to the village of Morenci, heretofore incorporated by the board of supervisors, of the county of Lenawee,

In accordance with the request of the House in a message this day received.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Gilmore moved that the rule limiting the time in which a motion to reconsider may be made, be suspended;

Which motion prevailed.

Mr. Gilmore moved to reconsider the vote by which the House passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Gilmore,  
The bill was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 3, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 338, entitled .

A bill to incorporate the village of L'Anse, in the county of Houghton ;

And to inform the House that the Senate has amended the same as follows :

1. By striking out in line 3 of section 34, all after the word "service" up to and including the word "townships" in line 4 of said section ;

2. By striking out all of section 35 and insert in lieu thereof the following :

Section 35. At the election to be held in said village on the first Tuesday in March, 1874, a recorder shall be elected who shall hold his office for two years ; and until his successor is elected and qualified, and every two years thereafter a recorder shall be elected who shall hold his office for two years, and until his successor is elected and qualified. The recorder elected in said village at the first annual election shall hold his office until the first Tuesday in March, 1874, and until his successor is elected and qualified. Any justice of the peace residing in said village shall be, and is hereby authorized and empowered to inquire into, hear, and determine all offenses committed within the limits of said village against any of the by-laws ordinances, and regulations of the common council of said village, and to punish the offender or offenders as prescribed by such by-laws and ordinances ; and any person charged with violating any such by-laws, ordinances, and regulations, may have a trial by jury, as in other cases before justices' of the

peace ; and all process issued by such justices under this act shall be tested and returnable in the same manner, and returnable with the like effect, and the proceedings by them shall conform to and be conducted in like manner as is provided for and applicable to process issued by justices of the peace under the general laws of the State, except as herein otherwise provided ;

3. By striking out the words "or recorder," in lines 1, 2, 11, 12, 17, 19, 21, 27, 31, and 35, in section 109 ;

4. By striking out the words "or recorder," in line 3 of section 110 ;

5. By striking out the words "or recorder," in line 1 of section 111 ;

6. By striking out the words "or recorder," in lines 1 and 6 in section 112 ;

7. By striking out the words "or recorder" in line 2 of section 114 ;

8. By striking out the words "the recorder or" in line 9 of section 115 ;

9. By striking out the words "or recorder of" in line 13 of section 126, and insert in lieu thereof the words "residing in," also by striking out the words "or recorder" in line 14 and 15 of section 127,

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoar moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Bonine,  
Briggs,  
Buell,

Mr. Greusel,  
Haire,  
Hewitt,

Mr. Rich,  
Ripley,  
Sanderson,



Mr. Burns,	Mr. Hoar,	Mr. Sessions,	
Cady,	Howard,	Simpson,	
Caplis,	Hoyt,	Thompson,	
Carter,	Kellogg,	Van Aken,	
Chafey,	Knapp,	Van Scoy,	
Cobb,	Luce,	A. Walker,	
Dinturff,	Markey,	J. Walker,	
Edwards,	R. C. Miller,	L. Walker,	
Ferguson,	Mitchell,	Warren,	
Garfield,	Morse,	E. C. Watkins,	
Garvelink,	Noyes,	Welch,	
Gilmore,	O'Dell,	Welker,	
Goodrich,	Parsons,	Zimmerman,	
Gordon,	Perry,	Speaker,	53
Green,	Priest,		
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Hoyt moved to reconsider the vote by which the House concurred in the report of the committee of the whole in reporting back to the House, a substitute for House joint resolution No. 317, entitled

Joint resolution granting the privilege of the elective franchise to the women of this State ;

Which motion prevailed.

Mr. C. W. Watkins moved to lay the joint resolution on table ;

Which motion did not prevail.

On motion of Mr. Buell,

The joint resolution was recommitted to the committee of the whole.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 3, 1873. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return the following bill :

Senate manuscript bill, entitled

A bill to amend sections 4, 14, 36, 45, 46, 47, 48, 50, 52, and

53 of act No. 352 of the session laws of 1867, being an act entitled "An act to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven," approved March 16, 1867, and to add four new sections thereto, to stand as sections 91, 92, 93, and 94,

That the committee of conference may be enabled to report thereon.

Very respectfully,

JAS. H. STONE,

*Secretary of the Senate.*

The committee of conference then reported as follows:

The committee of conference on the disagreeing votes of the Senate and House of Representatives on certain amendments to Senate manuscript bill, being

A bill to amend sections 4, 14, 36, 45, 46, 47, 48, 50, 52, and 53 of act No. 352 of the session laws of 1867, being "An act to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven," approved March 16, 1867, and to add four new sections thereto, to stand as sections 91, 92, 93, and 94,

Respectfully report that they have had the same under consideration, and have directed their chairman to report, recommending that the House recede from the two first amendments made by the House to said bill.

M. D. WILBER,

*Chairman of Committee on part of the Senate.*

E. L. RIGGS,

*Acting Chairman of the Committee on the part of House.*

Report accepted and committee discharged.

The question being on concurring in the report of the committee of conference,

The same was not concurred in by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. Gilmore,	Mr. Perry,
Bonine,	Goodrich,	Rich,
Briggs,	Gordon,	Ripley,
Burns,	Green,	Robinson,
Cady,	Greusel,	Shaw,
Carter,	Haire,	Simpson,
Chafey,	Hewitt,	Thompson,
Cobb,	Hoar,	A. Walker,
Dinturff,	Howard,	L. Walker,
Drake,	Knapp,	Warren,
Drew,	Lewis,	C. W. Watkins,
Edwards,	Lockwood,	E. C. Watkins,
Ferguson,	Markey,	West,
Garfield,	Mitchell,	Zimmerman,
Garvelink,	Morse,	Speaker, 45

## NAYS.

Mr. Brunson,	Mr. Noyes,	Mr. Sessions,
Buell,	O'Dell,	Van Aken,
Hoyt,	Parsons,	Van Scoy,
Kellogg,	Priest,	J. Walker,
Luce,	Sanderson,	Welker,
R. C. Miller,		17

Mr. Buell moved to reconsider the vote by which the House refused to concur in the report ;

Which motion prevailed.

The question being on concurring in the report,

On motion of Mr. E. O. Watkins,

The report was laid on the table.

## MOTIONS AND RESOLUTIONS.

Mr. Burns offered the following :

*Resolved*, That the committee on ways and means, report to this House at as early a day as practicable, the amount of all appropriations from the State means already made by the present Legislature, together with the amount of all appropriations now pending for the support of the State Institutions, or otherwise, with an estimate of the amount of State tax that will be required to be levied to meet the same ;

Which was adopted.

Mr. Bartholomew offered the following:

*Resolved*, That the committee on supplies and expenditures be authorized to allow the account of the Sergeant-at-Arms, for expenditures incurred in putting in apparatus for ventilating the hall, to the amount of \$241 96 ;

Which was adopted.

Mr. Van Aken moved that the House adjourn ;

Which motion prevailed.

The Speaker then declared the House adjourned until Tuesday evening next, at 7½ o'clock.

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*Lansing, Tuesday, April 8, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called : not a quorum present.

On motion of Mr. Cobb,

The House adjourned.

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*Lansing, Wednesday, April 9, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Representative Welker.

Roll called : quorum present.

Absent without leave: Messrs. Bailey, Bottomley, Buell, Cady, Caplis, Curtis, Drake, Eggleston, Fancher, Goodrich, Gordon, Haire, Hoar, Howard, Kellogg, Pierce, Priest, Remer, Rich, Sanderson, Smith, Thompson, B. Walker, E. C. Watkins, Zimmerman.

Mr. Bartholomew asked and obtained leave of absence for Mr. Thompson for the day.

Mr. Bartholomew asked and obtained leave of absence for Mr. Haire for the day.

Mr. Ferguson asked leave of absence for Mr. Eggleston until Friday ;

Which was not granted.

Mr. Morse asked and obtained leave of absence for Mr. Curtis indefinitely, on account of sickness.

On motion of Mr. C. W. Watkins,

Leave of absence was granted all the other absentees for the forenoon.

#### MOTIONS AND RESOLUTIONS.

Mr. Hoyt offered the following :

*Resolved*, That the use of this hall be tendered to Dr. T. S. Lambert of New York city, for this (Wednesday) evening, for the purpose of giving his lecture upon the subject of "longevity."

On motion of Mr. C. W. Watkins,

The resolution was laid on the table.

Mr. Gilmore moved to take from the table Senate bill No. 221, entitled

A bill to grant a special charter to the village of Morenci, heretofore incorporated by the board of supervisors of the county of Lenawee ;

Which motion prevailed.

On motion of Mr. Gilmore,

The bill was placed on the order of third reading.

Mr. Gilmore moved to discharge the committee of the whole from the further consideration of House bill No. 208, entitled

A bill to authorize employes of railroad companies to cut decayed or dangerous trees, standing within a certain distance of either side of their track ;

Which motion prevailed.

On motion of Mr. Gilmore,

The bill was placed on the order of third reading.

## GENERAL ORDER.

On motion of Mr. Noyes,

The House went into committee of the whole on the general order,

Mr. Gilmore in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

1. House joint resolution No. 20, entitled

Joint resolution granting the privilege of the elective franchise to the women of this State;

Have corrected an error therein, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

2. House joint resolution No. 24, entitled

A joint resolution authorizing the payment of compensation to the heirs or heirs-at-law of Darius Clark, for services performed by him as agent of the State of Michigan, in the city of New York, during the late rebellion;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

3. House joint resolution No. 25, entitled

Joint resolution providing for the proper fencing of Port Huron and Lake Michigan Railroad, and securing certain depot conveniences to the citizens of Capac;

4. Senate joint resolution No. 7, entitled

Joint resolution for the relief of E. O. Grosvenor and others;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

1. House bill No. 296, entitled

A bill to amend section 5285, chapter 178, of the compiled laws of 1871, entitled "Courts held by justices of the peace ;"

2. House bill No. 301, entitled

A bill to amend section 12 of "An act to provide for the draining of swamps, marshes, and other low lands," approved March 22, 1869, being section 1756 of the compiled laws of 1871 ;

3. House bill No. 303, entitled

A bill to correct and legalize the deeds, mortgages, and contracts executed by and to the First Methodist Episcopal Church in the city of Grand Rapids ;

4. House bill No. 134, entitled

A bill to amend section 1 of an act entitled "An act to incorporate the city of Niles," approved February 12, 1859, as amended by section 1 of an act entitled "An act to amend an act entitled 'An act to incorporate the city of Niles,' " approved February 12, 1859, approved March 16, 1867 ;

5. House bill No. 306, entitled

A bill to amend an act entitled "An act to provide for guardians and wards," the same being section 4837, chapter 172 of the compiled laws of 1871 ;

6. House bill No. 307, entitled

A bill to repeal section 4311, chapter 155, of the compiled laws of 1871, the same being an act entitled "An act to provide for letters testamentary, and other proceedings on the probate of a will ;"

7. House bill No. 309, entitled

A bill to regulate the loading of railroad freight cars, and to prevent the false and fraudulent billing of the same ;

8. House bill No. 312, entitled

A bill to amend chapter 92 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for building and leasing houses and other tenements ;"

9. Senate bill No. 128, entitled

A bill to amend section 7447 of the compiled laws of 1871, relative to fees of justices of the peace ;

10. Senate bill No. 190, entitled

A bill to amend section 2 of chapter 240, being section 7478 of the compiled laws of 1871, relative to fees of officers and ministers of justice in criminal cases ;

11. Senate bill No. 168, entitled

A bill to amend section 37 of the revised statutes of 1846, being section 6762 of the compiled laws of 1871, relative to actions of replevin ;

12. Senate bill No. 170, entitled

A bill to amend section 60 of chapter 90 of the revised statutes of 1846, being section 5096 of the compiled laws of 1871 ;

13. Senate bill No. 175, entitled

A bill to amend section 6 of an act entitled "An act to provide for the appointment of stenographer for the circuit court for the county of Wayne, and other counties in this State, and to limit the operations of sections 1 and 4 of an act to declare and establish the practice of instructing juries, and in settling the law in cases tried in the circuit courts," approved March 26, 1869 ; approved April 2, 1869, being section 5032 of the compiled laws of 1871 ;

14. Senate bill No. 180, entitled

A bill to repeal section 3 of an act entitled "An act to authorize the Marquette and Ontonagon Railroad Company to transfer their interest in a portion of their land grant to the L'Anse and Ontonagon Railroad Company, and to facilitate the construction of said road," approved March 11, 1865 ;

15. Senate bill No. 139, entitled

A bill to define and establish a re-insurance reserve for fire and marine insurance companies doing business in this State ;

16. House bill No. 202, entitled

A bill to amend section 39 of chapter 245, being section



7590 of the compiled laws of 1871, relative to "Offenses against property ;"

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

17. House bill No. 299, entitled

A bill to prevent the advertisement and sale of drugs and medicines designed to produce criminal abortion.

18. Senate bill No. 99, entitled

A bill to provide for the payment of certain ditch orders in the county of Clinton ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

19. House bill No. 297, entitled

A bill to provide for the payment of certain ditch or drainage orders ;

20. Senate bill No. 115, entitled

A bill to amend section 8 of chapter 69 of the compiled laws of 1871, relative to "the manufacture and sale of intoxicating drinks as a beverage ;"

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bill :

21. Senate bill No. 9, entitled

A bill to facilitate the collection of recognizances in criminal cases,

And have directed their chairman to report the same back

to the House, with the recommendation that the vote by which certain House amendments were concurred in be reconsidered.

ARTHUR GILMORE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The House concurred in the action of the committee relative to the first named joint resolution, and it was placed on the order of third reading.

On motion of Mr. Ferguson,

The House concurred in the amendments made to the second named joint resolution, and the seventeenth and eighteenth named bills, by the committee, and they were placed on the order of third reading.

The first sixteen named bills were placed on the order of third reading.

On motion of Mr. Warren,

The House concurred in the action of the committee relative to the twentieth named bill, and the title was laid on the table.

Mr. Ripley moved that the House concur in the action of the committee relative to the nineteenth named bill;

Which motion did not prevail.

On motion of Mr. L. Walker,

The bill was recommitted to the committee on drainage.

On motion of Mr. Welker,

The House concurred in the recommendation of the committee relative to the last named bill, and the vote by which the House had concurred in an amendment, in striking out in line 9, section 1, the word "twenty," and inserting the word "fifteen" in lieu thereof, was reconsidered.

The question being on concurring in the amendment,

Mr. L. Walker moved to amend the amendment by inserting the word "ten" in lieu of the word "fifteen;"

Which motion prevailed.

The amendment, as amended, was then agreed to.

On motion of Mr. Ripley,

The bill was placed on the order of third reading.

On motion of Mr. Noyes,

The House took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

#### PRESENTATION OF PETITIONS.

By Mr. Drew: Petition of Samuel Higby, W. K. Gibson, and 9 other practicing attorneys of the city of Jackson, asking for the passage of Senate bill No. 49, relative to holding all terms of the supreme court at Lansing;

Referred to the committee on judiciary.

By Mr. Lewis: Petition of Marston & Hatch, and 11 other attorneys of Bay county, in favor of holding all terms of the supreme court at Lansing;

Referred to the committee on judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State Prison:

The committee on State Prison, to whom was referred Senate bill No. 203, entitled

A bill to authorize the Inspectors of the State Prison to grant to life convicts the right to correspond with near friends and relatives,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS, *Chairman*:

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

On motion of Mr. Noyes,  
The order of

#### THIRD READING OF BILLS

Was passed over for the day.

#### MOTIONS AND RESOLUTIONS.

Mr. Speed moved to discharge the committee of the whole from the further consideration of House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit ;

Which motion prevailed.

On motion of Mr. Speed,

The bill was recommitted to the committee on municipal corporations.

#### GENERAL ORDER.

On motion of Mr. Welker,

The House went into committee of the whole on the general order,

Mr. Climie in the chair.

After some time spent therein the committee rose, and through the chairman made the following report :

The committee of the whole have also had under consideration the following entitled bills :

1. Senate bill No. 112, entitled

A bill to provide for the transfer of the insane inmates of the Soldiers' Home at Detroit to the Insane Asylum at Kalamazoo ;

2. Senate bill No. 189, entitled

A bill to regulate and define the duties of judges of probate in certain cases ;

3. Senate bill No. 176, entitled

A bill to amend section 127 of chapter 178 of the compiled laws of 1871, being " An act relative to courts held by justices of the peace ;

4. Senate bill No. 183, entitled

A bill to amend section 4 of an act entitled "An act to regulate the manufacture and provide for the inspection of salt," approved March 6th, 1869, being section 1461, chapter 33, of the compiled laws of 1871 ;

5. Senate bill No. 106, entitled

A bill to establish a bureau of industrial statistics ;

6. House bill No. 319, entitled

A bill to provide for keeping more complete accounts in the educational, charitable, and penal institutions of the State ;

7. House bill No. 320, entitled

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 17, 1871, being section 2441, chapter 75, of the compiled laws of 1871 ;

8. House bill No. 321, entitled

A bill to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relating to judgments and executions ;

9. House bill No. 324, entitled

A bill to provide for the payment of expenses of circuit judges while discharging the duties of their respective offices ;

10. House bill No. 327, entitled

A bill to provide for special appeals from decrees in chancery ;

11. House bill No. 329, entitled

A bill to amend section 4269 of the compiled laws of 1871, in relation to estates in dower ;

12. House bill No. 330, entitled

A bill to establish the right to the care and custody of minor children in case of the separation of husband and wife, being the father and mother of said minor children ;

13. House bill No. 331, entitled

A bill to amend section 5246 of the compiled laws of 1871, being an act entitled "An act to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation ;"

14. Senate bill No. 148, entitled

A bill to amend section 2 and section 8 of an act entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils," approved April 3, 1869, being sections 1502 and 1508, chapter 33 of the compiled laws of 1871, and to add a new section thereto to stand as section 9;

15. Senate bill No. 199, entitled

A bill to amend section 6724 and 6725 of the compiled laws of 1871, relative to the action for causing death by wrongful act, neglect, or default;

16. House bill No. 13, entitled

A bill to amend section 19 of chapter 249 of the compiled laws of 1871;

17. Senate bill No. 198, entitled

A bill to authorize the appointment of a commissioner by the Governor, whose duty it shall be to obtain statistics and other information relative to the treatment and cure of inebriates;

18. House bill No. 333, entitled

A bill to amend sections 1 and 2 of chapter 29, being sections 1323 and 1324 of the compiled laws of 1871, relative to the liability of townships or corporations neglecting to keep bridges or culverts in repair;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

19. Senate bill No. 153, entitled

A bill to amend sections 1, 2, and 3 of an act entitled "An act to provide for an appeal from the board of school inspectors of any school district, to the township board," approved April 5, 1869, being sections 3734, 3735, and 3736 in chapter 136 of the compiled laws of 1871;

20. House bill No. 318, entitled

A bill to provide for the payment of a bounty to certain

soldiers who enlisted in Michigan regiments, companies, and batteries, and were mustered into the service of the United States during the years 1861, 1862, 1863, 1864, and 1865, and to widows, children, and dependent parents of deceased soldiers;

21. Senate bill No. 132, entitled

A bill to amend sections 793, 799, and 800 of the compiled laws of 1871, being sections 2, 8, and 9 of an act entitled "An act to provide for taking the census and statistics of this State," approved February 9, 1853;

22. House bill No. 334, entitled

A bill establishing a lien for labor and services upon logs and timber;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

ANDREW OLIMIE, *Chairman.*

Report accepted and committee discharged.

The first eighteen named bills were placed on the order of third reading.

On motion of Mr. Brunson,

The House concurred in the amendments made to the last four named bills by the committee, and they were placed on the order of third reading.

Mr. Edwards, leave being granted, moved to discharge the committee on municipal corporations from the further consideration of House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit;

Which motion prevailed.

On motion of Mr. Edwards,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Haywood asked and obtained leave of absence for Mr. Gordon indefinitely on account of sickness.

Mr. R. C. Miller asked and obtained leave of absence for Mr. Kellogg indefinitely on account of sickness.

Mr. Noyes moved that the House take a recess until 7½ o'clock this evening ;

Pending which,

On motion of Mr. Hertzler,

The House adjourned.

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*Lansing, Thursday, April 10, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Representative Welker.

Roll called: quorum present.

Absent without leave: Messrs. Bottomley, Buell, Dinturff, Eggleston, Howard, Priest, Remer, Rich, Rose, and Smith.

Mr. Walton asked and obtained leave of absence for Mr. Smith for the day.

Mr. Hoyt asked and obtained leave of absence for Mr. Remer for the day.

Mr. E. C. Watkins asked and obtained leave of absence for Mr. Eggleston for the day.

Mr. J. Walker asked and obtained leave of absence for Mr. Bottomley for the day.

Mr. Cady asked and obtained leave of absence for Mr. Priest for the day.

Mr. Welker asked and obtained leave of absence for Mr. Dinturff for the day.

Mr. Warren asked and obtained leave of absence for Mr. Rich for the day.

The Speaker called Mr. Speed to the chair.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State Prison :

The committee on State Prison, to whom was referred



A bill relating to jail records and reports,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS,

*Chairman State Prison Committee.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on Asylum for the Insane:

The committee on Asylum for the Insane, to whom was referred Senate bill No. 86, entitled

A bill to amend sections 4 and 5 of an act entitled "An act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance, and recovery of the insane," approved February 14, 1859, being sections 1914 and 1915 of chapter 52 of the compiled laws of 1871;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. J. BONINE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. West,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred Senate bill No. 239, entitled

A bill to authorize the city of Hastings, in the county of Barry, to borrow money for bridge purposes within said city and issue bonds therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. ZIMMERMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 214, entitled

A bill to amend section 4407 of the compiled laws of 1871, relative to the inventory and collection of the effects of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill restores the law as it had existed from the organization of this State up to 1871, when to meet the Campau case in Detroit, it was providently changed.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was re-referred House bill No. 256, entitled

A bill to provide for the deposit and disposition of the shares of absent heirs on the final settlement of the estate of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

This bill seeks to provide the disposition of absent heirs' distributive shares, so as to enable final settlements of estates without prejudice.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cady,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 173, entitled

A bill to repeal an act entitled, "An act to provide for laying out and establishing a State road from town twenty-four north, of range four east, to the meridian," being act 443 of the session laws of 1871, approved April 15, 1871;

2. House bill No. 263, entitled

A bill to provide for the laying out and constructing a State road in the county of Lapeer, State of Michigan, and making an appropriation of non-resident highway taxes to aid in constructing the same;

3. House bill No. 33, entitled

A bill to authorize the township of Swan Creek to purchase of the Swan Creek and Saginaw Bridge Company its bridge across the Tittabawassee river, and to hold the same as a toll-bridge;

## 4. House bill No. 125, entitled

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled "Boards of Supervisors;"

## 5. House bill No. 207, entitled

A bill authorizing the Hamtramck and Warren Plank Road Association to discontinue a part of their road;

## 6. House bill No. 325, entitled

A bill to amend section 9 of article 6, section 1 of article 10, section 1 of article 14, and section 1 of article 20 of act No. 233 of session laws of 1871, entitled "An act to incorporate the village of Vernon," approved March 18, 1871;

## 7. House bill No. 54, entitled

A bill to amend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 64, 70, and 95, and to repeal section 50 of an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being sections 834, 835, 836, 837, 857, 858, 865, 866, 869, 877, 891, 897, and 922, chapter 18 of the compiled laws of 1871, and to add new sections thereto;

## 8. House bill No. 122, entitled

A bill to incorporate the village of Reading in Hillsdale county.

C. D. LUCE, *Acting Chairman.*

Report accepted.

## MESSAGE FROM THE GOVERNOR.

The Speaker *pro tem.* announced the following:

EXECUTIVE OFFICE,  
Lansing, April 4, 1873. }

*To the House of Representatives:*

I have this day signed, approved, and deposited with the Secretary of State, the following:

1. An act to amend an act entitled "An act to incorporate the village of Pentwater," by amending certain sections thereof, and adding a new section thereto;

2. An act to repeal act No. 261 of the session laws of 1871, the same being an act entitled "An act to incorporate the village of Laingsburg," approved April 8, 1871;

3. An act to revise and amend the charter of the city of Jackson;

4. An act to amend section No. 12 of chapter 249, of the compiled laws of 1871, relative to offences against chastity, morality, and decency, being section 7702;

5. An act to organize the union school district of the city of Alpena;

6. An act to amend section 1 of act No. 274 of the session laws of 1871, entitled "An act to incorporate the village of Rockford," approved April 15, 1871;

7. An act to incorporate the village of Imlay City, in Lapeer county;

8. An act to amend section 9 of an act prescribing the duties of the Superintendent of Public Instruction, being section 3476 of the compiled laws of 1871;

JOHN J. BAGLEY.

The message was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker *pro tem.* also announced the following :

AUDITOR GENERAL'S OFFICE, }  
Lansing, April 10, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I have the honor to acknowledge the receipt of a resolution of the House in words as follows, viz :

"*Resolved*, That the Auditor General be and he is hereby requested to furnish to this House a tabular statement of the monthly account with the banks of deposit holding moneys belonging to the State during the last year;"

And to report that the accounts with the "banks of deposit" are not kept in this office, but on the books of the State Treasury.

Very respectfully,

WM. HUMPHREY,

*Auditor General.*

The communication was laid on the table.

The Speaker also announced the following :

ATTORNEY GENERAL'S OFFICE, }  
Lansing, April 8, 1873. }

*To the Honorable the House of Representatives of the State of Michigan :*

I have the honor to acknowledge the receipt of the following House resolution, viz:

*Resolved*, That the Attorney General be and he is hereby requested to report to this House, at his earliest convenience, whether in his opinion the Legislature has the right to repeal the general law of 1871 exempting railroad lands from taxation; whether, in case of such repeal, all railroad companies prior to the passage of the act of 1871, are not subject to immediate taxation; and also, whether, in case of such repeal, all railroad lands hereafter earned will not be subject to immediate taxation; and to further report whether in his opinion the constitutional power vests in the Legislature to exempt the granted lands of railroad companies from taxation.

In response to your request, I will consider the questions contained in the resolution in their order.

*First*. Whether the Legislature has the right to repeal the general law of 1871 exempting railroad lands from taxation.

Section 2441 of the compiled laws contains the provisions regulating taxation, and the exemptions, substantially as follows:

“Every company formed under the provisions of this act, shall on or before the first day of, etc., pay to the State Treasurer, etc., an annual tax upon the gross receipts, and which shall be in lieu of all other taxes upon the property of said company whether real, personal, or mixed, except penalties imposed by law, except real property not necessary for carrying on the ordinary operations or franchises of their road.”

• “*Provided*, Only such lands granted to any railroad company shall be liable to local taxation as are, or may be, opposite to and coterminous with the constructed portion and portions of said roads respectively: *And provided further*, That no

such lands shall be subject to taxation until after the expiration of three years from and after the first day of April, in the year of our Lord one thousand eight hundred and seventy-one, and until after three years from the date of the certificate showing that such lands have been earned by said railroad company; after which time said lands shall be taxed as other lands, except as hereinafter provided.

*“And provided further, That the lands of the several land-grant railroad companies opposite to and coterminous with their lines as now in operation, shall be subject to taxation in two years from said first day of April, in the year of our Lord one thousand eight hundred and seventy-one.”*

My attention is particularly directed to the power of the Legislature to repeal that portion of the law exempting those lands from taxation.

The Legislature cannot pass irrevocable laws, nor in that manner bind a subsequent Legislature, unless the repeal of a law would impair the obligation of a contract, which is prohibited by the United States constitution.

The law of 1871 can be repealed, unless the corporations claiming the exemption of their lands from taxation for the prescribed time have, by virtue of that law, a contract or vested rights, the violation of which is prohibited.

All lands except those belonging to the general government or to the State are primarily liable to taxation; any exemption the owner may claim from that burthen must clearly appear by legislative sanction.

*“A corporation is a mere creature of the law, an artificial being; it possesses only these properties, which the charter of its creation confers upon it, either expressly or as incidental to its very existence.”*

Any privileges which may exempt it from the burthens common to individuals, must be expressed in their charter or they do not exist.

Their lands are subject to taxation to the same extent and

in the same manner as are the lands of individuals. The Legislature have as full control over them for that purpose, unless in their charter, or by some grant, there has been an exemption extended to such corporation, which amounts to a contract.

The United States Supreme Court being the court of last resort in this class of cases has passed upon similar questions; and one of the fundamental rules laid down by that tribunal is that a State is not to be deemed to have abridged or surrendered the right of taxation of a corporation, unless such abridgement be expressed *in the charter* in terms too clear for mistake. Judge Redfield, in volume second of his work upon the law of railways, page 611, cites an authority which is applicable to this case.

“The Legislature may exempt existing and future railways in the State from taxation for a term of years, but such exemption will be subject to repeal unless it forms part of the charter of the railway at the time of its grant.”—*Southern Railway v. City of Jackson*, 38 Miss., 334.

The land grant companies were organized previous to this act of 1871; their rights in the land were divided from other and prior acts of the Legislature. Whatever irrepealable exemption or privilege they may have that can be construed to abridge the right of the State to tax them, must be found in the law by which these lands were granted, to which they expressly assented by their acceptance.

Such law, and not the act of 1871, defines their chartered rights and irrepealable grants and privileges. It cannot be claimed that these lands are held under this act of 1871, nor did it form a part of their charters at the time of the grant of lands; nor does it in any wise effect their interest therein.

The exemption created by that law is subject to repeal, being a mere privilege. The act of 1871 is in the nature of a special statute, so far as the taxation of these lands is concerned; it recognizes the right of the State to tax them or



exempt them for a certain time after the title of the then existing corporation has become unconditional, and the lands earned.

The case of Christ Church vs. The County of Philadelphia is in point, 24 How., 300; holding that "a special statute exempting certain property from taxation is *not a contract, and may be repealed at the pleasure of the State Legislature.*"

In that case the Legislature of the State of Pennsylvania in 1833 enacted, that the real property, including ground rents, now belonging and payable to Christ Church Hospital, shall be and remain free from taxes. In 1851 the Legislature repealed a portion of the above law, and taxed a part of the property then exempted. It was taken to the Supreme Court of the United States. Campbell, J., delivering the opinion of the Court, says: "The plaintiff claims that the exemption conceded by the act of 1833 is perpetual, and that the act itself is *in effect* a contract. This concession of the Legislature was spontaneous, and no service or duty, or other remunerative condition was imposed on the corporation. It belongs to a class of laws denominated *privilegia favorabilia*.

"The act of 1833 belongs to a class of statutes in which the narrowest meaning is to be taken, which will fairly carry out the intent of the Legislature.

"It is in the nature of such a privilege as the act of 1833 confers, that it exists *bono placitum*, and may be revoked at the pleasure of the sovereign."

The decision of the supreme court of Pennsylvania was affirmed; which held that the repeal, under the law of 1851, was constitutional.

There is another principle of construction german to the point under consideration, and that is this: when any doubt exists as to the right of a private corporation, that doubt must be resolved in favor of the public.—19 Mich., 267.

In another case the rule was laid down as follows: "In doubtful cases it seems to be a sound and wholesome rule of construction to interpret public grants most favorably to the

public interests, and that they are not to be enlarged by doubtful implications."

The Legislature of 1871, in dealing with the question of taxing, or not, these lands, seemed to have no doubt but that they were subject to that burthen, and that they could impose a tax, or exempt them, as they saw fit.

It does not appear that there are any vested rights or contract enacted under this law.

To say the most that can be said in behalf of the railroad corporations, there may be some doubt as to power of the Legislature in the premises, but that doubt must be taken in favor of the public right of taxation, and against the exemption.

If the exemption under this act constitutes an irrepealable contract, what consideration is there moving from the company to the State; what has the corporation done, or changed of its corporate powers or functions; the promise is on the part of the State alone, neither accepted or agreed to by the companies.

They remained as they were, their rights and interest in the land are the same, with the same conditions and restrictions, without new acceptance, promise, or act on their part.

The law is the same in effect as if the Legislature had expressly enacted that these lands should be exempted from taxation during the pleasure of the Legislature, subject to repeal and change at any time.

I am clearly of the opinion that this Legislature has the power to repeal the law of 1871, exempting railroad lands from taxation.

*Second.* "Whether in case of such repeal, all railroad companies, prior to the passage of the act of 1871, are not subject to immediate taxation?"

The question undoubtedly refers to all railroad corporations organized prior to that act, and under our general laws since new constitution. I answer, that all of the companies referred to, if such act is repealed, would be, with proper legisla-

tion, subject to immediate taxation. I do not understand that any of the railroad corporations claim entire exemption from taxation. But it is their liability to two kinds,—specific, and by assessment, &c., upon their lands that is objected to; all admit some right of taxation in the State, to which they are liable.

It is claimed by them that a specific tax covers all their property of every name and nature, and whether it is for the necessary use of the road in conducting their business, or for mere profit and speculation, it is covered by the specific tax. I apprehend, however, that there is no question as to their being liable to immediate taxation.

*Third.* "Whether in case of such repeal, all railroad lands hereafter earned will not be subject to immediate taxation."

I am of the opinion that the lands referred to in case of the repeal of that law *would be* subject to immediate taxation, in the same manner and to the same extent as are the lands of private individuals. The time during which these lands were to be exempted from taxation, provided for in the previous acts of the Legislature, has expired. They are the property of private corporations, subject to the same liabilities and burthens as the lands of individuals.

The exemptions by the Legislature, as heretofore made, have not been upon the assumption that they were not a proper subject of taxation, but that it was the best policy of the State to foster and aid the building of these roads, and without doubt that exemption has very largely contributed to their success.

*Fourth.* "Whether the constitutional power vests in the Legislature to exempt the granted lands of railroad companies from taxation."

This question has been submitted to the courts of last resort in many cases, and the right of a Legislature to exercise that power has been doubted by the best legal minds. It was said by Cooley, J., 19 Mich., 282: "It is not very clear that the

Supreme Court of the United States has ever at any time declared the right of States to grant away the sovereign power of taxation."

A case arose in our own State, the People *vs.* the Auditor General (7th Mich., 84), where this power of the Legislature was called in question. It was upon the right of the Legislature to authorize taxes on certain lands, to be remitted for five years. The court sustained the act of the Legislature. Manning, Justice, says "it was competent for the Legislature to have exempted the lands from taxation." It seems to be settled that the Legislature may grant to a company, to a limited extent at least, exemptions from future taxation.

Yours, etc.,

BYRON D. BALL,

*Attorney General.*

The communication was received and referred to the committee on railroads.

On motion of Mr. E. C. Watkins,

Five hundred copies of the opinion of the Attorney General were ordered printed for the use of the House.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, April 9, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to re-return to the House the following bill :

House bill No. 167, entitled

A bill to amend section 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate," approved February 15, 1859, being section 7439 of the compiled laws of 1871,

For which the Senate adopted a substitute entitled

A bill to amend sections 2 and 8 of an act entitled "An act to

amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws of 1871, and to authorize the salary of judges of probate," approved February 15, 1859, being sections 7436 and 7439 of the compiled laws of 1871;

And in which substitute the House non-concurred,

And to inform the House that the Senate insists upon its substitute.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Lockwood moved that the House insist on its disagreement in regard to the substitute for the bill transmitted from the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robertson,
Bailey,	Grant,	Sanderson,
Bonine,	Green,	Sessions,
Breitung,	Greusel,	Shaw,
Brunson,	Harris,	Simpson,
Burns,	Haywood,	Speed,
Cady,	Hewitt,	Striker,
Caplis,	Hoar,	Thompson,
Carter,	Lewis,	Van Aken,
Chafey,	Lockwood,	A. Walker,
Chamberlain,	Luce,	B. Walker,
Climie,	Markey,	J. Walker,
Cobb,	Mitchell,	L. Walker,
Drew,	Morse,	Walton,
Edwards,	O'Dell,	Warren,
Fancher,	Parsons,	E. C. Watkins,
Ferguson,	Perry,	Welker,
Fey,	Pierce,	West,
Garfield,	Ripley,	Wheeler,
Garvelink,	Robinson,	Zimmerman, 60

NAYS.

Mr. Haire, Mr. Thomas, 2

Mr. Lockwood moved that a committee of three be appointed on the part of the House to act with a like committee on the part of the Senate as a committee of conference, on the dis-

agreement existing between the two Houses relative to the bill ;

Which motion prevailed.

The Speaker *pro tem.* appointed as such committee Messrs. Lockwood, Greusel, and Burns.

Mr. L. Walker, leave being granted, moved that the Clerk be instructed to transmit a respectful message to the Senate, requesting the return to the House of Senate bill No. 234, entitled

A bill to incorporate the village of Clio ;

Which motion prevailed.

Mr. Perry, leave being granted, moved to take from the table House bill No. 326, entitled

A bill to provide for the proper labeling of matches ;

Which motion prevailed.

On motion of Mr. Perry,

The bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. L. Walker moved to amend the bill by striking out the word "and" in line 3, and inserting the word "or" in lieu thereof ;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Bailey,  
Bartholomew,  
Bonine,  
Briggs,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Drake,  
Drew,  
Fancher,

Mr. Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Haywood,  
Hertzler,  
Hewitt,  
Knapp,  
Luce,  
E. R. Miller,  
R. O. Miller,  
Morse,

Mr. Robertson,  
Sanderson,  
Sessions,  
Shaw,  
Simpson,  
Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Walton,

Mr. Ferguson, Fey, Garvelink, Gilmore, Goodrich,	Mr. Noyes, O'Dell, Parsons, Perry, Robinson,	Mr. Warren, Welker, West, Wheeler,	53
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NAYS.

Mr. Ackley, Breitung, Brunson. Burns, Caplis, Edwards, Garfield,	Mr. Harris, Hoar, Hoyt, Lewis, Markey, Mitchell,	Mr. Pierce, Ripley, Striker, E. C. Watkins, Zimmerman, Speaker, <i>pro tem</i>	19
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Title agreed to.

### THIRD READING OF BILLS.

Senate bill No. 103, entitled

A bill to amend section 5 of chapter 136, relative to primary schools, being section 3586 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Bailey, Bartholomew, Bonine, Breitung, Brunson, Burns, Cady, Caplis, Carter, Chafey, Chamberlain, Climie, Cobb, Drake, Drew, Edwards, Fancher, Fey,	Mr. Garfield, Garvelink, Goodrich, Gordon, Haire, Harris, Haywood, Hertzler, Hewitt, Hoar, Hoyt, Knapp, Luce, Markey, E. R. Miller, Mitchell, Parsons, Perry,	Mr. Pierce, Robinson, Sanderson, Sessions, Shaw, Simpson, Striker, Thomas, Van Aken, A. Walker, B. Walker, L. Walker, Warren, E. C. Watkins, Welker, Wheeler, Zimmerman, Speaker, <i>pro tem</i> .	54
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## NAYS.

Mr. Ackley,	Mr. Greusel,	Mr. Ripley,	
Briggs,	Lewis,	Robertson,	
Ferguson,	R. C. Miller,	Thompson,	
Gilmore,	Morse,	J. Walker,	
Grant,	Noyes,	Walton,	
Green,	O'Dell,	West,	18

Title agreed to.

House bill No. 237, entitled

A bill to provide for the incorporation of ecclesiastical bodies and societies,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bartholomew,	Mr. Garvelink,	Mr. Parsons,	
Bonine,	Gilmore,	Perry,	
Breitung,	Goodrich,	Robinson,	
Brunson,	Gordon,	Robertson,	
Burns,	Haire,	Sessions,	
Cady,	Harris,	Shaw,	
Caplis,	Haywood,	Striker,	
Carter,	Hertzer,	Thomas,	
Chafey,	Hewitt,	Thompson,	
Chamberlain,	Hoar,	A. Walker,	
Climie,	Knapp,	B. Walker,	
Cobb,	Lewis,	Warren,	
Collins,	Markey,	Welker,	
Drake,	R. C. Miller,	West,	
Edwards,	Mitchell,	Wheeler,	
Fancher,	Morse,	Zimmerman,	
Ferguson,	O'Dell,	Speaker,	52
Garfield,			

## NAYS

Mr. Ackley,	Mr. Greusel,	Mr. Simpson,	
Bailey,	Hoyt,	Van Aken,	
Briggs,	Luce,	J. Walker,	
Drew,	Noyes,	L. Walker,	
Fey,	Pierce,	Walton,	
Grant,	Ripley,	E. C. Watkins,	
Green,	Sanderson,	.	20

Title agreed to.



House bill No. 84, entitled

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relative to primary schools,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,
Bailey,	Gordon,	Robertson,
Bonine,	Grant,	Sessions,
Breitung,	Green,	Shaw,
Brunson,	Greusel,	Thomas,
Burns,	Haire,	Thompson,
Caplis,	Harris,	Van Aken,
Carter,	Hewitt,	A. Walker,
Chafey,	Hoar,	B. Walker,
Chamberlain,	Knapp,	L. Walker,
Cobb,	Lewis,	Walton,
Drake,	Lockwood,	Warren,
Drew,	Markey,	E. C. Watkins,
Edwards,	Mitchell,	Welker,
Fancher,	Morse,	West,
Fey,	Noyes,	Wheeler,
Garfield,	O'Dell,	Zimmerman,
Garvelink,	Parsons,	Speaker, <i>pro tem.</i>
Gilmore,	Pierce,	56

## NAYS.

Mr. Cady,	Mr. Luce,	Mr. Simpson,
Climie,	E. R. Miller.	Striker,
Haywood,	R. C. Miller.	J. Walker,
Hoyt,	Sandersen,	11

Title agreed to.

House joint resolution No. 23, entitled

Joint resolution for the relief of St. Clair county, and to authorize the Board of State Auditors to settle with the bail of Henry Johr, late treasurer of St. Clair county,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Gilmore,

The joint resolution was laid on the table.

House bill No. 294, entitled

A bill to amend section 124 of chapter 178 of the compiled laws of 1871, being compiler's section 5372, relative to transferring suits from one justice of the peace to another of the same or adjoining township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Perry,
Bailey,	Gordon,	Pierce,
Bonine,	Green,	Robinson,
Breitung,	Greusel,	Robertson,
Briggs,	Haire,	Sanderson,
Brunson,	Harris,	Shaw,
Burns,	Haywood,	Simpson,
Cady,	Hertzler,	Striker,
Caplis,	Hewitt,	Thompson,
Carter,	Hoar,	Van Aken,
Chafey,	Hoyt,	A. Walker,
Chamberlain,	Knapp,	B. Walker,
Climie,	Lewis,	J. Walker,
Cobb,	Lockwood,	L. Walker,
Collins,	Luce,	Walton,
Drake,	Markey,	Warren,
Edwards,	E. R. Miller,	C. W. Watkins,
Fancher,	R. C. Miller,	E. C. Watkins,
Ferguson,	Mitchell,	Welker,
Fey,	Noyes,	West,
Garfield,	O'Dell,	Speaker,
Garvelink,	Parsons,	

65

#### NAYS.

Mr. Ripley, 1

Title agreed to.

House bill No. 139, entitled

A bill requiring the township of Springwells to pay for the improvement of Fort street,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Caplis moved to lay the bill on the table ;

Which motion did not prevail.

Mr. Caplis moved to reconsider the vote by which the House refused to lay the bill on the table.

Mr. Greusel moved to lay the motion to reconsider on the table ;

Which motion did not prevail.

The motion to reconsider then prevailed.

The bill was then laid on the table.

Senate bill No. 221, entitled

A bill to grant a special charter to the village of Morenci, heretofore incorporated by the board of supervisors of the county of Lenawee,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Gilmore moved to amend the bill as follows :

1. By striking out in line 3, section 2, article 1, the word "city ;"

2. By striking out in line 1, section 2, article 8, all of the line after the words "shall be," and inserting in lieu thereof the words "chief of police of the village, and he is hereby vested with all the powers and duties conferred by law on constables elected in townships ;"

3. By inserting at the end of section 3, article 8, the following: "*Provided*, That nothing in this act shall be construed into his serving processes issued by any justice of the peace in civil cases ;"

4. By striking out all of line 34, section 3, article 6, and inserting in lieu thereof the following :

"*Ninth*. To prevent the establishment of gift enterprises, and punish the owners and managers of the same, and to prevent the selling or giving away of any spiritous or fermented liquors ;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Perry,
Bailey,	Grant,	Ripley,
Bartholomew,	Green,	Robinson,
Breitung,	Greusel,	Sanderson,
Briggs,	Haire,	Sessions,
Brunson,	Harris,	Shaw,
Burns,	Haywood,	Simpson,
Carter,	Hertzler,	Striker,
Chafey,	Hewitt,	Thomas,
Chamberlain,	Hoar,	Thompson,
Climie,	Hoyt,	Van Aken,
Cobb,	Knapp,	A. Walker,
Croswell,	Lewis,	L. Walker,
Drake,	Lockwood,	Walton,
Drew,	Luce,	Warren,
Edwards,	Markey,	C. W. Watkins,
Fancher,	R. C. Miller,	E. C. Watkins,
Ferguson,	Mitchell,	Welker,
Fey,	Morse,	West,
Garfield,	Noyes,	Wheeler,
Garvelink,	O'Dell,	Zimmerman,
Gilmore,	Parsons,	Speaker <i>pro tem</i> ,
Goodrich,		67

## NAYS.

0

Title agreed to.

On motion of Mr. Gilmore,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 208, entitled

A bill to authorize employes of railroad companies to cut decayed or dangerous trees, standing within a certain distance of either side of their track,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Garvelink,	Mr. Perry,
Bartholomew,	Gilmore,	Pierce,
Bonine,	Grant,	Robinson,

Mr. Breitung,	Mr. Green,	Mr. Sanderson,
Briggs,	Greusel,	Sessions,
Brunson,	Haire,	Shaw,
Burns,	Harris,	Striker,
Cady,	Haywood,	Thomas,
Carter,	Hertaler,	Thompson,
Chafey,	Hewitt,	A. Walker,
Chamberlain,	Hoar,	B. Walker,
Climie,	Hoyt,	L. Walker,
Cobb,	Lewis,	Walton,
Croswell,	Lockwood,	Warren,
Drake,	Luce,	C. W. Watkins,
Drew,	Markey,	E. C. Watkins,
Edwards,	R. C. Miller,	Welker,
Fancher,	Mitchell,	West,
Ferguson,	Morse,	Wheeler,
Fey,	O'Dell,	Zimmerman,
Garfield,	Parsons,	Speaker, 63

## NAYS.

Mr. Ackley,	Mr. Noyes,	Mr. Simpson,
Goodrich,	Ripley,	Van Aken,
E. R. Miller,		

7

Title agreed to.

House joint resolution No. 20, entitled

Joint resolution granting the privilege of the elective franchise to the women of this State,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cady moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following member reported absent without leave: Mr. Caplis.

Mr. E. C. Watkins moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

On motion of Mr. Haire,

The Sergeant-at-Arms was despatched after the absentee.

On motion of Mr. Grant,

All further proceedings under the call were dispensed with.

The question being on the passage of the joint resolution,

Mr. Burns moved that the joint resolution be recommitted to the committee on State affairs, with instructions to amend the same so as to provide that the expression of the females of this State, of lawful age, in reference to the propriety of said proposed amendment, may be taken by the supervisors of the State in taking the annual assessments for the year 1873 ;

Which motion did not prevail.

The joint resolution was then not passed, two-thirds of all the members elect not voting therefor, by yeas and nays as follows :

#### YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robinson,
Bailey,	Green.	Sanderson,
Bartholomew,	Greusel,	Sessions,
Bonine,	Haire,	Shaw,
Brunson,	Harris,	Thomas,
Burns,	Hertzler,	Thompson,
Cady,	Hewitt,	Van Aken,
Carter,	Hoar,	A. Walker,
Chafey	Hoyt,	B. Walker,
Climie,	Knapp,	Walton,
Croswell,	Luce,	Warren,
Drake,	R. C. Miller,	C. W. Watkins,
Drew,	Mitchell,	Welker,
Edwards,	Morse,	West,
Fancher,	Noyes,	Wheeler,
Gilmore,	Pierce,	Speaker <i>pro tem.</i>
Goodrich,	Ripley,	50

#### NAYS.

Mr. Breitung,	Mr. Grant,	Mr. Perry,
Briggs,	Haywood,	Robertson,
Chamberlain,	Lewis,	Simpson,
Cobb,	Lockwood,	Striker,
Ferguson,	Markey,	J. Walker,
Fey,	E. R. Miller,	L. Walker,
Garfield,	O'Dell,	E. C. Watkins,
Garvelink,	Parsons,	Zimmerman, 24

On motion of Mr. Greusel,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

Honse joint resolution No. 24, entitled

A joint resolution authorizing the payment of compensation to the heirs or heirs-at-law of Darius Clark, for services performed by him as agent of the State of Michigan, in the city of New York, during the late rebellion,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Sanderson,
Bartholomew,	Gordon,	Sessions,
Breitung,	Green,	Shaw,
Briggs,	Haire,	Simpson,
Brunson,	Haywood,	Speed,
Burns,	Hertzler,	Striker,
Caplis,	Hewitt,	Thomas,
Chafey,	Lewis,	Thompson,
Climie,	R. O. Miller,	B. Walker,
Cobb,	Morse,	L. Walker,
Dinturff,	O'Dell,	Walton,
Drew,	Parsons,	Warren,
Fancher,	Perry,	E. O. Watkins,
Ferguson,	Priest,	Welker,
Fey,	Rich,	Wheeler,
Garfield,	Ripley,	Zimmerman,
Garvelink,	Robinson,	Speaker, <i>pro tem</i>
Gilmore,	Robertson,	55

## NAYS.

Mr. Bailey,	Mr. Drake,	Mr. Pierce,
Bonine,	Greusel,	Van Aken,
Cady,	Hoyt,	J. Walker,
Carter,	Markey,	C. W. Watkins,
Chamberlain,		13

Title agreed to.

House joint resolution No. 25, entitled

Joint resolution providing for the proper fencing of Port Huron and Lake Michigan Railroad, and securing certain depot conveniences to the citizens of Capac,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Ripley moved that the further consideration of the joint resolution be indefinitely postponed;

Which motion did not prevail.

The joint resolution was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Robertson,
Bartholomew,	Haywood,	Sanderson,
Bonine,	Hertzler,	Simpson,
Brunson,	Hoar,	Striker,
Burns,	Hoyt,	Thompson,
Cady,	Lewis,	Van Aken,
Caplis,	Lockwood,	B. Walker,
Chafey,	Markey,	J. Walker,
Chamberlain,	E. R. Miller,	L. Walker,
Climie,	R. C. Miller,	C. W. Watkins,
Dinturff,	Parsons,	E. C. Watkins,
Drew,	Perry,	Welker,
Ferguson,	Priest,	Wheeler,
Fey,	Rich,	Zimmerman,
Gordon,	Robinson,	Speaker, <i>pro tem.</i>
Haire,		46

## NAYS.

Mr. Bailey,	Mr. Gilmore,	Mr. Pierce,
Breitung,	Goodrich,	Ripley,
Briggs,	Greusel,	Sessions,



Mr. Carter,	Mr. Hewitt,	Mr. Shaw,
Cobb,	Luce,	Speed,
Drake,	Morse,	A. Walker,
Fancher,	Noyes,	Walton,
Garfield,	O'Dell,	Warren,
Garvelink,		25

Senate joint resolution No. 7, entitled

Joint resolution for the relief of E. O. Grosvenor and others;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Bartholomew,	Mr. Harris,	Mr. Robertson,
Breitung,	Hertzler,	Sanderson,
Brunson,	Hewitt,	Sessions,
Burns,	Hoar,	Shaw,
Cady,	Hoyt,	Speed,
Caplis,	Lewis,	Striker,
Carter,	Lockwood,	Thomas,
Olimie,	Markey,	Thompson,
Cobb,	E. R. Miller,	A. Walker,
Croswell,	R. C. Miller,	J. Walker,
Dinturff,	Mitchell,	Warren,
Drew,	Morse,	C. W. Watkins,
Fancher,	Parsons,	E. C. Watkins,
Ferguson,	Pierce,	Welker,
Gilmore,	Priest,	Wheeler,
Goodrich,	Ripley,	Zimmerman,
Gordon,	Robinson,	Speaker, <i>pro tem</i>
Greusel,		52

#### NAYS.

Mr. Ackley,	Mr. Garfield,	Mr. Perry,
Bailey,	Garvelink,	Rich,
Bonine,	Haire,	Simpson,
Briggs,	Haywood,	Van Aken,
Chafey,	Luce,	B. Walker,
Chamberlain,	Noyes,	L. Walker,
Drake,	O'Dell,	Walton,
Fey,		22

Title and preamble agreed to.

House bill No. 296, entitled

A bill to amend section 5285, chapter 178, of the compiled laws of 1871, entitled, "Courts held by justices of the peace,"

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Rose,

1

## NAYS.

Mr. Ackley,  
Bailey,  
Bartholomew.  
Bonine,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Croswell,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Fey,  
Garfield,  
Garvelink,

Gilmore,  
Goodrich,  
Gordon,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoyt,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Pierce,  
Priest,  
Rich,  
Ripley,

Mr. Robinson,  
Robertson,  
Sanderson,  
Sessions,  
Shaw,  
Simpson,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welker,  
Wheeler,  
Zimmerman,  
Speaker, *pro tem.*

70

House bill No. 301, entitled

A bill to amend section 12 of "An act to provide for the draining of swamps, marshes, and other low lands," approved March 22, 1869, being section 1756 of the compiled laws of 1872,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Shaw,

The bill was amended by adding to section 1 the words

“And to add a new section thereto, to stand as section thirty-four.”

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Garvelink,	Mr. Sanderson,
Bartholomew,	Gilmore,	Sessions,
Bonine,	Goodrich,	Shaw,
Breitung.	Gordon,	Simpson,
Briggs,	Haywood,	Speed,
Brunson,	Hertzler,	Striker,
Burns,	Hewitt,	Thomas,
Cady,	Hoar,	Thompson,
Caplis,	Lewis,	Van Aken,
Carter,	Lockwood,	A. Walker,
Chafey,	Luce,	B. Walker,
Climie,	E. R. Miller,	J. Walker,
Cobb,	Mitchell,	L. Walker,
Croswell,	Morse,	Walton,
Dinturff,	Noyes,	Warren,
Drake,	O'Dell,	E. C. Watkins,
Drew,	Parsons,	Welker,
Edwards,	Priest,	West,
Fancher,	Robinson,	Wheeler,
Ferguson,	Robertson,	Zimmerman,
Fey,	Rose,	Speaker <i>pro tem.</i>
Garfield,		64

## NAYS.

Mr. Ackley,	Mr. Hoyt,	Mr. Pierce,
Chamberlain,	Markey,	Rich,
Greusel,	R. C. Miller,	Ripley,
Haire,		10

The question being on agreeing to the title,

Mr. Shaw moved to amend the title by adding thereto the words, “and to add a new section thereto, to stand as section thirty-four ;”

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 303, entitled

A bill to correct and legalize the deeds, mortgages, and contracts executed by and to the First Methodist Episcopal Church in the city of Grand Rapids,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robertson,
Bartholomew,	Grensel,	Rose,
Bonine,	Haire,	Sanderson,
Breitung,	Haywood,	Sessions,
Briggs,	Hertzler,	Shaw,
Brunson,	Hewitt,	Simpson,
Burns,	Hoar,	Speed,
Caplis,	Hoyt,	Striker,
Carter,	Lewis,	Thomas,
Chafey,	Luce,	Thompson,
Chamberlain,	Markey,	A. Walker,
Climie,	E. R. Miller,	B. Walker,
Cobb,	R. C. Miller,	J. Walker,
Croswell,	Mitchell,	L. Walker,
Dinturff,	Morse,	Walton,
Drake,	Noyes,	Warren,
Drew,	O'Dell,	C. W. Watkins,
Edwards,	Parsons,	E. C. Watkins,
Fancher,	Perry,	Welker,
Ferguson,	Pierce,	West,
Fey,	Priest,	Wheeler,
Garfield,	Rich,	Zimmerman,
Garvelink,	Ripley,	Speaker, <i>pro tem.</i>
Goodrich,	Robinson,	71
	YEAS.	0

Title agreed to.

House bill No. 134, entitled

A bill to amend section 1 of an act entitled "An act to incorporate the city of Niles," approved February 12, 1859, as amended by section 1 of an act entitled "An act to amend an act entitled 'An act to incorporate the city of Niles,'" approved February 12, 1859, approved March 16, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Rose,
Bartholomew,	Gordon,	Sanderson,
Bonine,	Green,	Sessions,
Breitung,	Greusel,	Shaw,
Briggs,	Haire,	Simpson,
Brunson,	Haywood,	Speed,
Burns,	Hertzler,	Striker,
Caplis,	Hoar,	Thomas,
Carter,	Hoyt,	Thompson,
Chafey,	Lewis,	A. Walker,
Chamberlain,	Luce,	B. Walker,
Climie,	Markey,	J. Walker,
Cobb,	E. R. Miller,	L. Walker,
Croswell,	Mitchell,	Walton,
Dinturff,	Morse,	Warren,
Drake,	Noyes,	C. W. Watkins,
Drew,	O'Dell,	E. C. Watkins,
Edwards,	Parsons,	Welker,
Fancher,	Perry,	West,
Fey,	Priest,	Wheeler,
Garfield,	Rich,	Zimmerman,
Garvelink,	Ripley,	Speaker <i>pro tem.</i>
Gilmore,	Robertson,	68

## NAYS.

0

Title agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 306, entitled

A bill to amend an act entitled "An act to provide for guardians and wards," the same being section 4837, chapter 172, of the compiled laws of 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof.

On motion of Mr. Ripley,

The bill was amended by striking out in line 8, recited section 28, the word "they," and inserting in lieu thereof the words "such female ward."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Ripley,
Bailey,	Gordon,	Robinson,
Bartholomew,	Greusel,	Robertson,
Bonine,	Haire,	Rose,
Brietung,	Harris,	Sanderson,
Briggs,	Haywood,	Sessions,
Brunson,	Hertzler,	Shaw,
Burns,	Hewitt,	Speed,
Cady,	Hoar,	Striker,
Carter,	Hoyt,	Thomas,
Chafey,	Lewis,	Thompson,
Chamberlain,	Lockwood,	Van Aken,
Climie,	Luce,	A. Walker,
Cobb,	Markey,	B. Walker,
Croswell,	E. B. Miller,	J. Walker,
Dinturff,	R. C. Miller,	Warren,
Drew,	Mitchell,	C. W. Watkins,
Edwards,	Morse,	E. C. Watkins,
Fancher,	Parsons,	Welker,
Ferguson,	Perry,	West,
Fey,	Pierce,	Wheeler,
Garfield,	Priest,	Zimmerman,
Garvelink,	Rich,	

67

## NAYS.

Mr. Drake,	Mr. O'Dell,	Mr. Walton,
Gilmore,	L. Walker,	Speaker, <i>pro tem.</i>
Noyes,		

7

Title agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 307, entitled

A bill to repeal section 4311, chapter 155, of the compiled laws of 1871, the same being an act entitled "An act to provide for letters testamentary, and other proceedings on the probate of a will,"

Was read a third time and passed, a majority of all

the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robinson,
Bartholomew,	Grant,	Robertson,
Bonine,	Greusel,	Rose,
Breitung,	Haire,	Sanderson.
Briggs,	Harria,	Sessions,
Brunson,	Haywood,	Shaw,
Burns,	Hertzler,	Simpson,
Cady,	Hewitt,	Speed,
Carter,	Hoar,	Striker,
Chafey,	Hoyt,	Thomas,
Chamberlain,	Lewis,	Thompson,
Cobb,	Luce,	Van Aken,
Croswell,	Markey,	A. Walker,
Dinturff,	E. R. Miller,	B. Walker,
Drake,	R. C. Miller,	J. Walker,
Drew,	Mitchell,	L. Walker,
Edwards,	Noyes,	Walton,
Fancher,	O'Dell,	Warren,
Ferguson,	Parsons,	C. W. Watkins,
Fey,	Perry,	E. C. Watkins,
Garfield,	Pierce,	Welker,
Garvelink,	Priest,	West,
Gilmore,	Rich,	Wheeler,
Goodrich,	Ripley,	71

## NAYS.

0

The question being on agreeing to the title,

Mr. Shaw moved to amend the title by striking out the figures "4311," and inserting the figures "4371" in lieu thereof ;

Which motion prevailed.

The title as amended was then agreed to.

House bill No. 312, entitled

A bill to amend chapter 92 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for building and leasing houses and other tenements,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robertson,
Bailey,	Harris,	Rose,
Bartholomew,	Haywood,	Sanderson,
Bonine,	Hertzler,	Sessions,
Brunson,	Hewitt,	Shaw,
Burns,	Hoar,	Simpson,
Cady,	Hoyt,	Speed,
Carter,	Lewis,	Striker,
Chafey,	Lockwood,	Thomas,
Chamberlain,	Luce,	Thompson,
Climie,	Markey,	Van Aken,
Cobb,	E. R. Miller,	A. Walker,
Crosswell,	R. C. Miller,	B. Walker,
Dinturff,	Mitchell,	J. Walker,
Drake,	Morse,	Walton,
Drew,	Noyes,	Warren,
Fancher,	O'Dell,	E. C. Watkins,
Ferguson,	Parsons,	Welker,
Fey,	Pierce,	West,
Garfield,	Priest,	Wheeler,
Garvelink,	Ripley,	Zimmerman,
Goodrich,	Robinson,	Speaker <i>pro tem.</i> ,
Greusel,		67

## NAYS.

Mr. Rich, 1

Title agreed to.

On motion of Mr. Ripley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 128, entitled

A bill to amend section 7447 of the compiled laws of 1871, relative to fees of justices of the peace,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Rose,
Bailey,	Greusel,	Sanderson,
Bartholomew,	Haire,	Shaw,
Brunson,	Haywood,	Simpson,



Mr. Burns,	Mr. Hertzler,	Mr. Speed,
Cady,	Hewitt,	Striker,
Carter,	Hoar,	Thomas,
Chafey,	Knapp,	Thompson,
Chamberlain,	Lewis,	A. Walker,
Climie,	Lockwood,	B. Walker,
Cobb,	Luce,	L. Walker,
Croswell,	Markey,	Walton,
Dinturff,	Mitchell,	Warren,
Drew,	Noyes,	C. W. Watkins,
Fancher,	Rich,	E. C. Watkins,
Ferguson,	Ripley,	Welker,
Fey,	Robinson,	Wheeler,
Garvelink,	Robertson,	Zimmerman,
Gilmore,		

55

## NAYS.

Mr. Bonine,	Mr. E. R. Miller,	Mr. Pierce,
Briggs,	R. C. Miller,	Priest,
Drake,	Morse,	Sessions,
Garfield,	O'Dell,	Van Aken,
Goodrich,	Parsons,	J. Walker,
Hoyt,	Perry,	Speaker, <i>pro tem</i>

18

Title agreed to.

Senate bill No. 190, entitled

A bill to amend section 2 of chapter 240, being section 7478 of the compiled laws of 1871, relative to fees of officers and ministers of justice in criminal cases,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Rose,
Bailey,	Haywood,	Shaw,
Bartholomew,	Hertzler,	Simpson,
Brunson,	Hewitt,	Striker,
Cady,	Hoar,	Thomas,
Chafey,	Knapp,	Thompson,
Climie,	Lewis,	A. Walker,
Cobb,	Lockwood,	B. Walker,
Croswell,	E. R. Miller,	L. Walker,

Mr. Drew, Fancher, Ferguson, Fey, Garvelink, Gordon,	Mr. R. C. Miller, Mitchell, Parsons, Perry, Priest,	Mr. Warren, E. C. Watkins, Welker, Wheeler, Zimmerman,
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43

## NAYS.

Mr. Bonine, Briggs, Burns, Carter, Dinturff, Garfield, Goodrich, Greusel, Hoyt,	Mr. Luce, Markey, Morse, Noyes, O'Dell, Pierce, Rich, Ripley, Robinson,	Mr. Robertson, Sanderson, Sessions, Van Aken, J. Walker, Walton, C. W. Watkins, West, Speaker, <i>pro tem.</i>
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27

Senate bill No. 168, entitled

A bill to amend section 37 of the revised statutes of 1846, being section 6762 of the compiled laws of 1871, relative to actions of replevin,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bonine, Briggs, Burns, Cady, Carter, Chafey, Chamberlain, Chmie, Cobb, Dinturff, Drew, Fancher, Ferguson, Garfield, Garvelink, Gordon, Haire,	Mr. Haywood, Hertzler, Hewitt, Hoar, Lewis, Lockwood, E. R. Miller, Mitchell, O'Dell, Parsons, Perry, Rich, Ripley, Robinson, Robertson, Sanderson, Sessions,	Mr. Shaw, Simpson, Speed, Striker, Thomas, Thompson, A. Walker, B. Walker, J. Walker, L. Walker, Warren, C. W. Watkins, E. C. Watkins, Welker, West, Wheeler, Zimmerman,
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51

## NAYS.

Mr. Ackley,	Mr. Hoyt,	Mr. Noyes,
Bailey,	Knapp,	Pierce,
Brunson,	Luce,	Priest,
Croswell,	Markey,	Van Aken,
Gilmore,	R. C. Miller,	Walton,
Goodrich,	Morse,	Speaker <i>pro tem.</i>
Greusel,		19

Title agreed to,

Senate bill No. 170, entitled

A bill to amend section 60 of chapter 90 of the revised statutes of 1846, being section 5096 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Rich,
Bailey,	Greusel,	Robinson,
Bonine,	Haire,	Robertson,
Briggs,	Haywood,	Sanderson,
Brunson,	Hertzler,	Sessions,
Burns,	Hewitt,	Shaw,
Cady,	Hoar,	Simpson,
Carter,	Hoyt,	Striker,
Chafey,	Knapp,	Thomas,
Chamberlain,	Lewis,	Thompson,
Olimie,	Lockwood,	A. Walker,
Cobb,	Luce,	B. Walker,
Croswell,	Markey,	J. Walker,
Dinturff,	E. R. Miller,	L. Walker,
Drake,	R. C. Miller,	Walton,
Drew,	Mitchell,	Warren,
Edwards,	Morse,	C. W. Watkins,
Fancher,	Noyes,	E. C. Watkins,
Ferguson,	O'Dell,	Welker,
Fey,	Parsons,	West,
Garfield,	Perry,	Wheeler,
Garvelink,	Pierce,	Zimmerman,
Goodrich,	Priest,	Speaker, <i>pro tem.</i>
		69

## NAYS.

0

Title agreed to.

Senate bill No. 175, entitled

A bill to amend section 6 of an act entitled "An act to provide for the appointment of a stenographer for the circuit court for the county Wayne and other counties in this State, and to limit the operations of sections 1 and 4 of an act to declare and establish the practice of instructing juries, and in settling the law in cases tried in the circuit courts," approved March 26, 1869, approved April 2, 1869, being section 5032 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Ripley,
Bailey,	Gordon,	Robinson,
Bartholomew,	Greusel,	Robertson,
Bonine,	Haire,	Sanderson,
Briggs,	Haywood,	Sessions,
Brunson,	Hertzler,	Shaw,
Burns,	Hewitt,	Simpson,
Cady,	Hoyt,	Striker,
Carter,	Knapp,	Thomas,
Chafey,	Lewis,	Van Aken,
Chamberlain,	Lockwood,	A. Walker,
Climie,	Luce,	B. Walker,
Cobb,	E. R. Miller,	J. Walker,
Croswell,	B. C. Miller,	L. Walker,
Dinturff,	Mitchell,	Walton,
Drake,	Morse,	Warren,
Drew,	Noyes,	C. W. Watkins,
Edwards,	O'Dell,	E. C. Watkins,
Fancher,	Parsons,	West,
Ferguson,	Perry,	Wheeler,
Fey,	Pierce,	Zimmerman,
Garvelink,	Priest,	Speaker <i>pro tem.</i> ,
Gilmore,	Rich,	68

NAYS.

Mr. Garfield,	Mr. Markey,	Mr. Welker,	3
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Title agreed to.

Senate bill No. 180, entitled

A bill to repeal section 3 of an act entitled "An act to

authorize the Marquette and Ontonagon Railroad Company to transfer their interest in a portion of their land grant to the L'Anse and Ontonagon Railroad Company, and to facilitate the construction of said road," approved March 11, 1865,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Hoar,

The bill was laid on the table.

Senate bill No. 139, entitled

A bill to define and establish a re-insurance reserve for fire and marine insurance companies doing business in this State,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Biggs,	Mr. E. R. Miller,	Mr. L. Walker,
Chafey,	Mitchell,	Warren,
Drake,	Perry,	C. W. Watkins,
Ferguson,	Rich,	E. C. Watkins,
Fey,	Robertson,	West,
Garvelink,	Sessions,	Wheeler,
Gordon,	Shaw,	Zimmerman,
Haywood,	Simpson,	Speaker, <i>pro tem.</i>
Lewis,	Thomas,	28
Lockwood,	Van Aken,	

#### NAYS.

Mr. Ackley,	Mr. Fancher,	Mr. Morse,
Bailey,	Garfield,	O'Dell,
Bartholomew,	Gilmore,	Parsons,
Bonine,	Goodrich,	Pierce,
Brunson,	Greusel,	Priest,
Burns,	Haire,	Robinson,
Cady,	Hertzler,	Sanderson,
Carter,	Hewitt,	Striker,
Climie,	Hoar,	Thompson,
Cobb,	Hoyt,	A. Walker,
Croswell,	Knapp,	B. Walker,
Dinturff,	Luce,	J. Walker,
Drew,	Markey,	Walton,
Edwards,	R. C. Miller,	Welker,
		41

House bill No. 202, entitled

A bill to amend section 39 of chapter 245, being section 7590 of the compiled laws of 1871, relative to "Offenses against property,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robertson,
Bailey,	Greusel,	Sanderson,
Bartholomew,	Haire,	Sessions.
Bonine,	Haywood,	Shaw,
Briggs,	Hertzler,	Simpson,
Brunson,	Hewitt,	Speed,
Burns,	Hoar,	Striker,
Cady,	Knapp,	Thomas,
Carter,	Lewis,	Thompson,
Chafey,	Lockwood,	Van Aken,
Climie,	Luce,	A. Walker,
Cobb,	Markey,	B. Walker
Croswell,	Mitchell,	J. Walker,
Dinturff,	Morse,	Walton,
Drake,	O'Dell,	Warren,
Drew,	Parsons,	E. C. Watkins,
Edwards,	Perry,	Welker,
Fancher,	Pierce,	West,
Ferguson,	Priest,	Wheeler,
Garfield,	Rich,	Zimmerman,
Garvelink,	Ripley,	Speaker <i>pro tem.</i> ,
Gilmore,	Robinson,	
Goodrich,		

66

NAYS.

Mr. Hoyt, Mr. R. C. Miller, Mr. C. W. Watkins, 3  
Title agreed to.

House bill No. 299, entitled

A bill to prevent the advertisement and sale of drugs and medicines designed to produce criminal abortion,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,	Mr. Gordon,	Mr. Robinson,
Bartholomew,	Green,	Robertson,
Bonine,	Greusel,	Sessions,
Breitung,	Haire,	Shaw,
Briggs,	Harris,	Simpson,
Brunson,	Haywood,	Thomas,
Burns,	Hertzler,	Thompson,
Cady,	Hewitt,	A. Walker,
Carter,	Hoar,	B. Walker,
Climie,	Knapp,	J. Walker,
Croswell,	Luce,	L. Walker,
Dinturff,	E. R. Miller,	Walton,
Drake,	R. C. Miller,	Warren,
Edwards,	O'Dell,	E. C. Watkins,
Fancher,	Parsons,	Welker,
Ferguson,	Perry,	West,
Fey,	Pierce,	Wheeler,
Garvelink,	Priest,	Zimmerman,
Gilmore,	Rich,	Speaker, <i>pro tem.</i>
Goodrich,		58

## NAYS.

Mr. Ackley,	Mr. Lewis,	Mr. Ripley,
Ohafey,	Lockwood,	Sanderson,
Cobb,	Markey,	Speed,
Drew,	Mitchell,	Striker,
Garfield,	Morse,	Van Aken,
Hoyt,		16

Title agreed to.

Senate bill No. 99, entitled

A bill to provide for the payment of certain ditch orders in the county of Clinton,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## NAYS.

Mr. Bartholomew,	Mr. Haywood,	Mr. Speed,
Bonine,	Hertzler,	Striker,
Breitung,	Lewis,	Thomas,
Briggs,	Lockwood,	Thompson,
Brunson,	E. R. Miller,	Van Aken,
Burns,	R. C. Miller,	A. Walker,

Mr. Cady,	Mr. Mitchell,	Mr. B. Walker,
Carter,	Morse,	J. Walker,
Chamberlain,	Noyes,	L. Walker,
Cobb,	O'Dell,	Walton,
Drake,	Parsons,	Warren,
Drew,	Perry,	C. W. Watkins,
Ferguson,	Robertson,	E. C. Watkins,
Garvelink,	Rose,	Welker,
Gordon,	Sanderson,	West,
Haire,	Sessions,	Zimmerman,
Harris,	Shaw,	Speaker, <i>pro tem.</i>

51

## NAYS.

Mr. Ackley,	Mr. Garfield,	Mr. Luce,
Bailey,	Gilmore,	Markey,
Briggs,	Goodrich,	Pierce,
Chafey,	Green,	Rich,
Climay,	Greusel,	Ripley,
Dinturff,	Hewitt,	Robinson,
Fancher,	Hoyt,	Simpson,
Fey,	Knapp,	Wheeler,

24

Title agreed to.

Senate bill No. 9, entitled

A bill to facilitate the collection of recognizances in criminal cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Sessions,
Bailey,	Harris,	Shaw,
Bonine,	Haywood,	Speed,
Briggs,	Hertzler,	Striker,
Brunson,	Hewitt,	Thomas,
Burns,	Knapp,	Thompson,
Carter,	Lockwood,	Van Aiken,
Chafey,	E. R. Miller,	A. Walker,
Chamberlain,	R. C. Miller,	B. Walker,
Climie,	Mitchell,	J. Walker,
Cobb,	Morse,	L. Walker,
Dinturff,	O'Dell,	Warren,
Fancher,	Parsons,	C. W. Watkins,



Mr. Ferguson,	Mr. Rich,	Mr. Weker,
Fay,	Ripley,	West,
Garfield,	Robinson,	Wheeler,
Gordon,	Robertson,	Speaker, <i>pro tem.</i>
Green,	Sanderson,	53

## NAYS.

Mr. Cady,	Mr. Greusel,	Mr. Priest,
Croswell,	Hoyt,	Simpson,
Drake,	Luce,	Walton,
Garvelink,	Markey,	Zimmerman,
Gilmore,	Pierce,	
Goodrich,		16

Title agreed to.

Senate bill No. 112, entitled

A bill to provide for the transfer of the insane inmates of the Soldiers' Home at Detroit to the Insane Asylum at Kalamazoo,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Bailey,	Greusel,	Robinson,
Bonine,	Haire,	Robertson,
Briggs,	Harria,	Sanderson,
Brunson,	Haywood,	Sessions.
Burns,	Hertzler,	Shaw,
Cady,	Hewitt,	Speed,
Carter,	Hoyt,	Striker,
Chafey,	Knapp,	Thomas,
Chamberlain,	Lewis,	Thompson,
Climie,	Lockwood,	Van Aken,
Cobb,	Luce,	A. Walker,
Croswell,	Markey,	B. Walker,
Dinturff,	E. R. Miller,	J. Walker,
Drake,	Mitchell,	L. Walker,
Edwards,	Morse,	Walton,
Fancher,	Noyes,	Warren,
Ferguson,	O'Dell,	C. W. Watkins,
Fey,	Parsons,	Welker,
Garfield,	Perry,	West,
Garvelink,	Pierce,	Wheeler,

Mr. Gilmore,  
Goodrich,  
Gordon,

Mr. Priest,  
Rich,

Mr. Zimmerman,  
Speaker, *pro tem.*

69

NAYS.

0

The question being on agreeing to the title,

Mr. Bonine moved to amend the title so as to read as follows:

A bill to provide for the transfer of the insane inmates of the Soldiers' Home at Detroit, or any county jail in this State, who have been soldiers or marines of the United States, to the credit of the State of Michigan, and who are not criminals, to the Insane Asylum at Kalamazoo;

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 189, entitled

A bill to regulate and define the duties of judges of probate in certain cases;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Bailey,  
Bonine,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Croswell,  
Dinturff,  
Drake,

Mr. Goodrich,  
Gordon,  
Green,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoyt,  
Knapp,  
Lewis,  
Luce,  
Markey,  
E. R. Miller,

Mr. Rich,  
Ripley,  
Robinson,  
Robertson,  
Sessions,  
Shaw,  
Simpson,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
B. Walker,  
J. Walker,

Mr. Edwards,	Mr. R. C. Miller,	Mr. L. Walker,
Fancher,	Noyes,	Walton,
Fey,	O'Dell,	Warren,
Garfield,	Parsons,	West,
Garvelink,	Pierce,	Wheeler,
Gilmore,	Priest,	Zimmerman, 63

NAYS.

Mr. C. W. Watkins, 1

Title agreed to.

Senate bill No. 176, entitled

A bill to amend section 127 of chapter 178 of the compiled laws of 1871, being "An act relative to courts held by justices of the peace,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robertson,
Bailey,	Gordon,	Sanderson,
Briggs,	Green,	Sessions,
Burns,	Haire,	Shaw,
Cady,	Harris,	Simpson,
Carter,	Haywood,	Speed,
Chafey,	Hertzler,	Striker,
Climie,	Hewitt,	Thomas,
Cobb,	Knapp,	Thompson,
Croswell,	Markey,	Van Aken,
Dinturff,	E. R. Miller,	B. Walker,
Drake,	R. C. Miller,	L. Walker,
Drew,	Noyes,	Walton,
Fancher,	Parsons,	Warren,
Ferguson,	Perry,	West,
Fey,	Pierce,	Wheeler,
Garfield,	Priest,	Zimmerman,
Garvelink,	Ripley,	Speaker, <i>pro tem.</i>
Gilmore,	Robinson,	56

NAYS.

Mr. Bonine,	Mr. Hoyt,	Mr. Rich,
Brunson,	Lewis,	J. Walker,
Chamberlain,	Luce,	C. W. Watkins,
Greusel,	O'Dell,	11

Title agreed to.

Mr. Shaw moved that there be a call of the House;  
Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave: Messrs. Caplis and Edwards;

On motion of Mr. Ferguson,

The Sergeant-at-Arms was depatched after the absentees.

Mr. Fey moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Edwards at the bar of the House.

On motion of Mr. Greusel,

Mr. Edwards was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Caplis at the bar of the House.

On motion of Mr. Brunson,

Mr. Caplis was admitted within the bar, and rendered an excuse.

Mr. Pierce moved that the excuse be deemed sufficient;

Which motion did not prevail.

Mr. Warren moved that the Speaker be directed to reprimand Mr. Caplis for his absence;

Which motion did not prevail.

On motion of Mr. Warren,

All further proceedings under the call were dispensed with.  
Senate bill No. 183, entitled

A bill to amend section 4 of an act entitled "An act to regulate the manufacture and provide for the inspection of salt," approved March 6th, 1869, being section 1461, chapter 33 of the compiled laws of 1871,

Was read a third time and was not passed, a majority of all

the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Ferguson,	Mr. Noyes,
Bartholomew,	Fey,	O'Dell,
Bonine,	Garvelink,	Parsons,
Brunson,	Gordon,	Perry,
Burns,	Haire,	Ripley,
Cady,	Harris,	Robertson,
Caplia,	Haywood,	Sessions,
Chamberlain,	Hertzler,	Shaw,
Climie,	Hewitt,	Speed,
Cobb,	Hoyt,	Striker,
Crosswell,	Knapp,	Thomas,
Dinturff,	Lockwood,	Thompson,
Drake,	R. C. Miller,	Van Aken,
Drew,	Mitchell,	B. Walker,
Fancher,	Morse,	Speaker, <i>pro tem.</i>

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## NAYS.

Mr. Bailey,	Mr. Lewis,	Mr. Simpson,
Briggs,	Luce,	J. Walker,
Carter,	Markey,	L. Walker,
Chafey,	E. R. Miller,	Walton,
Edwards,	Pierce,	Warren,
Garfield,	Priest,	C. W. Watkins,
Gilmere,	Rich,	Welker,
Goodrich.	Robinson,	Wheeler,
Green,	Sanderson,	Zimmerman,
Greusel,		

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Mr. Lewis moved to reconsider the vote by which the House refused to pass the bill.

Mr. Goodrich moved to lay the motion to reconsider on the table;

Which motion did not prevail.

The motion to reconsider then prevailed.

The question being on the passage of the bill,

Mr. Climie moved to lay the bill on the table ;

Which motion did not prevail.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Parsons,
Bailey,	Gilmore,	Perry,
Bartholomew,	Gordon,	Pierce,
Mr. Bonine,	Mr. Greusel,	Mr. Priest,
Briggs,	Haire,	Ripley,
Brunson,	Harris,	Robertson,
Burns,	Haywood,	Sessions,
Cady,	Hertzler,	Shaw,
Caplis,	Hoyt,	Simpson,
Carter,	Knapp,	Speed,
Chamberlain,	Lewis,	Striker,
Climie,	Lockwood,	Thomas,
Cobb,	Markey,	Thompson,
Croswell,	R. C. Miller,	Van Aken,
Dintruff,	Mitchell,	C. W. Watkins,
Drew,	Morse,	West,
Fancher,	Noyes,	Speaker <i>pro tem.</i>
Ferguson,	O'Dell,	53

## NAYS.

Mr. Chafey,	Mr. E. R. Miller,	Mr. Walton,
Edwards,	Rich,	Warren,
Garfield,	Robinson,	Welker,
Goodrich,	Sanderson,	Wheeler,
Green,	B. Walker,	Zimmerman,
Luce,	J. Walker,	17

Title agreed to.

Mr. Climie, leave being granted, offered the following :

*Resolved* (the Senate concurring), That from and after Thursday, the 17th day of April, 1873, the two houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper houses by the Secretary and Clerk, and the time of final adjournment of this Legislature shall be on Tuesday, the 22d day of April, 1873, at 12 o'clock noon of that day.

Laid over under the rules.

Mr. Markey, leave being granted, offered the following :

*Resolved*, That the Clerk of the House be requested to post at the entrance to the hall, each morning, the special order for the evening session of the same day ;

Which was not adopted.

Mr. Burns, leave being granted, offered the following :

*Resolved*, That the Governor be requested to return to this House, House bill No. 125, entitled

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled boards of supervisors ;

Which was adopted.

Mr. Bartholomew moved to reconsider the vote by which the House refused to pass Senate bill No. 139, entitled

A bill to define and establish a re-insurance reserve for fire and marine insurance companies doing business in this State ;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. C. W. Watkins,

The bill was laid on the table.

• On motion of Mr. Welker,

The House took a recess until 7½ o'clock this evening.

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EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

The hour having arrived for the

SPECIAL ORDER.

On motion of Mr. Noyes,

The House went into committee of the whole on the special order,

Mr. Climie in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following bill:

Senate bill No. 94, entitled

A bill to protect members of religious societies in the enjoyment of their civil rights,

Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

ANDREW CLIMIE, *Chairman*.

Report accepted and committee discharged.

Mr. Ripley moved that the House concur in the recommendation of the committee.

Mr. Ripley demanded the yeas and nays.

The demand was seconded, and the motion prevailed by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Sanderson,
Breitung,	Garvelink,	Sessions,
Briggs,	Gilmore,	Striker,
Brunson,	Goodrich,	Thomas,
Chafey,	Harris,	A. Walker,
Climie,	Hewitt,	J. Walker,
Cobb,	Hoyt,	L. Walker,
Curtis,	Knapp,	Walton,
Dinturff,	Luce,	Warren,
Drake,	E. R. Miller,	O. W. Watkins,
Drew,	R. C. Miller,	Welker,
Fancher,;	Parsons,	Wheeler,
Ferguson,	Robinson,	

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#### NAYS.

Mr. Bailey,	Mr. Green,	Mr. O'Dell,
Bartholomew,	Greusel,	Pieroe,
Bonine,	Haire,	Priest,
Bottomley,	Haywood,	Rich,
Burns,	Hertzler,	Ripley,



Mr. Cady,	Mr. Hoar,	Mr. Robertson,
Caplis,	Lewis,	Shaw,
Carter,	Lockwood,	Simpson,
Chamberlain,	Markey,	Speed,
Edwards,	Mitchell,	Thompson,
Garfield,	Morse,	West,
Gordon,	Noyes,	Zimmerman, 36

The bill was then placed on the order of third reading.

Mr. Fancher, leave being granted, moved to take from the table House bill No. 340, entitled

A bill to amend an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," being sections 54, 59, 67, 70, 71, 73, 74, 75, 77, 78, 79, 80, 81, 82, 84, 87, 88, 89, 90, 91, 92, 93, 95, 99, 100, 102, 103, 104, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 149, 162, and to repeal sections 68, 76, 83, 94, 96, 97, 98, 105, 106, 107, 108, 109, 110, 111, 112, 113, and 118 of chapter 21, being sections 1020, 1025, 1033, 1036, 1037, 1039, 1040, 1041, 1043, 1044, 1045, 1046, 1047, 1048, 1050, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1061, 1065, 1066, 1068, 1069, 1070, 1080, 1083, 1085, 1086, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1115, 1121, 1128, 1130, 1034, 1042, 1049, 1060, 1062, 1063, 1064, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1084, of the compiled laws of 1871,

Which motion prevailed.

On motion of Mr. Fancher,

The bill was placed on the order of third reading.

On motion of Mr. E. R. Miller,

The House adjourned.

*Lansing, Friday, April 11, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent without leave, Mr. Scott.

Mr. Noyes asked and obtained leave of absence until the 21st inst.

Mr. Burns asked and obtained leave of absence for Mr. Scott, indefinitely, on account of sickness.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State Prison:

The committee on State Prison, to whom was referred

A bill for the relief of Henry Gillett,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. E. R. Miller,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 41, entitled

A bill to amend sections 1, 7, 8, 15, 17, 18, 19, 20, 21, 22, and 23 of act No. 90 of the session laws of 1853, entitled an act to amend the laws relative to supplying the city of Detroit

with pure and wholesome water, and to provide for the completion and management of the Detroit Water Works, approved February 14, 1853,

Respectfully report that they have had the same, together with the Senate amendment thereto, under consideration, and have directed me to report the same back to the House, and recommend that the amendment be concurred in, and ask to be discharged from the further consideration of the subject.

JOHN L. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

The question being on agreeing to the amendments made to the bill by the Senate,

Mr. Priest moved that the House agree ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Priest,
Bailey,	Gordon,	Remer,
Bottomley,	Green,	Robinson,
Breitung,	Greusel,	Robertson,
Briggs,	Haire,	Sanderson,
Brunson,	Harris,	Sessions,
Buell,	Haywood,	Shaw,
Burns.	Hertzler,	Simpson,
Cady,	Hewitt,	Speed,
Caplis,	Hoar,	Striker,
Carter,	Hoyt,	Van Scoy,
Chafey,	Kellogg,	A. Walker,
Climie,	Knapp,	B. Walker,
Cobb,	Lewis,	J. Walker,
Curtis,	Lockwood,	L. Walker,
Dinturff,	Luce,	Walton,
Drake,	Markey,	Warren,
Drew,	E. R. Miller,	E. C. Watkins,
Fancher,	R. C. Miller,	Welch,
Ferguson,	Mitchell,	Welker,
Fey,	Morse,	Wheeler,
Garfield,	Noyes,	Zimmerman,
Gilmore,	Pierce,	Speaker, <i>pro tem</i>

## NAYS

Mr. Bartholomew,	Mr. Garvelink,	Mr. Rich,	
Bonine,	O'Dell,	Van Aken,	
Chamberlain,	Perry,		8

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

By the committees on agriculture and on Agricultural College:

The committees on agriculture and on Agricultural College, jointly, to whom was referred Senate bill No. 171, entitled

A bill to amend sections 1, 4, and 33 of act No. 180 of the session laws of 1871, being sections 3532, 3535 and 3564, chapter 134 of the compiled laws of 1871, entitled "An act to re-organize the State Agricultural College, and establish a State Board of Agriculture," approved March 15, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

The objects of this bill are: *First*, To change somewhat the law with regard to the filling of vacancies in the State Board of Agriculture; and *Secondly*, To change some portions of the law relative to the management of the State Agricultural College which have been found to be impracticable.

JACOB WALTON,

*Chairman Committee on Agriculture.*

JOHN T. RICH,

*Chairman Committee on Agricultural College.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred Senate bill No. 181, entitled

A bill to repeal section 22 of an act entitled "An act to provide for the construction of tram railways," approved February 13, 1855, being section 2482 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads to whom was referred Senate bill No. 182, entitled

A bill to repeal section 26 of an act entitled "An act to provide for the formation of street railway companies," approved March 5, 1867, being section 2527 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, with the exception of section 13; and as to that section, the committee report without recommendation.

This bill condenses the laws for the incorporation and government of railroads, and makes them applicable to the railroad company bill passed at this session. The rate of passenger freight is fixed by this bill at three cents a mile, changing the old law in not excepting short lines of road. Questions as to the terms of connection and crossing of intersecting roads, as well as many other questions relating to the condition and business of railroads, are by the terms of this bill referred to the Railroad Commissioner.

Section 13 provides that it shall be unlawful for any railroad company to charge or receive for transporting freight for any distance within this State a higher rate than is charged by the same corporation for transporting the same class of freight, in the same direction, for an equal or greater distance over the same road.

The policy of restricting railroads to *pro rata* rates for local and through freight, thus preventing the roads of our State from competing with the roads of other States for through freight, and preventing special contracts from being made for the transportation of large amounts of freight for great distances, is strongly questioned by a portion of your committee; while at the same time it is conceded that the present *wide* discrimination in favor of competing points and through freights *cripples* and in many instances totally *ruins* the manufacturing interests at non-competing points; and it is claimed by a portion of your committee that the general prosperity of the State, the development of the country, and the thousands of manufacturing towns in the State, where there are no competing lines of roads, *demand* some relief from the

present extortionate rates charged by many roads from such stations.

Acknowledging the difficulty of fairly and satisfactorily settling the question of freight rates,

Your committee have agreed to report this section without recommendation, leaving the members of the committee at liberty to advocate or oppose the section, as their views may prompt them, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 49, entitled

A bill to amend section 13 of an act entitled "An act to provide for the organization of the Supreme Court, pursuant to section 2 of article 6 of the constitution," approved February 16, 1857, being section 4896 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and a majority of the committee have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The passage of this bill is urged by members of the bar from the counties of Calhoun, Branch, Bay, Kent, Livingston, Ionia, Kalamazoo, and Jackson, by petitions.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for the revision of the Constitution,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

This amendment provides that the commissioners proposed by this resolution to examine into the defects of the constitution shall report at the next session, either special or general, so that the proposed amendments may be voted upon at the next annual election of 1874, if a special election of the Legislature should occur.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The House concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then referred to the committee of the whole and placed on the general order.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills :

1. House bill No. 135, entitled

A bill to amend an act entitled "An act to incorporate the city of Marquette," being act No. 202 of the session laws of 1871, approved February 27, 1871 ;

2. House bill No. 225, entitled

A bill to amend an act entitled "An act to incorporate the village of New Buffalo," being act No. 419 of the session laws of 1869, and to add a new section thereto ;



## 3. House bill No. 128, entitled

A bill to provide for the laying out and constructing a State road in Sanilac county, to be known as the Elmer State road;

## 4. House bill No. 323, entitled

A bill to amend sections 14, 24, 57, and 84 of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act No. 249 of the session laws of 1871,

## 5. House bill No. 300, entitled

A bill to repeal act No. 425 of the session laws of 1871, entitled "An act to detach certain real estate from school district No. 1, fractional of Parma, Sandstone, Concord, and Spring Harbor, and attaching the same to school district No. 3 of Parma.

C. D. LUCE, *Acting Chairman.*

Report accepted.

By the committee on education :

The committee on education, to whom was referred Senate bill No. 154, entitled

A bill to amend section two of "An act to compel children to attend school," being section 3738 of the compiled laws of 1871;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The bill provides that the Superintendent of Public Instruction shall send annually to school directors and president of boards of education, copies of the compulsory education law in form suitable for posting, and the officers mentioned are required to post the same.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

*Lansing, Friday, April 11, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent without leave, Mr. Scott.

Mr. Noyes asked and obtained leave of absence until the 21st inst.

Mr. Burns asked and obtained leave of absence for Mr. Scott, indefinitely, on account of sickness.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State Prison :

The committee on State Prison, to whom was referred

A bill for the relief of Henry Gillett,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. E. R. Miller,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred House bill No. 41, entitled

A bill to amend sections 1, 7, 8, 15, 17, 18, 19, 20, 21, 22, and 23 of act No. 90 of the session laws of 1853, entitled an act to amend the laws relative to supplying the city of Detroit

with pure and wholesome water, and to provide for the completion and management of the Detroit Water Works, approved February 14, 1853,

Respectfully report that they have had the same, together with the Senate amendment thereto, under consideration, and have directed me to report the same back to the House, and recommend that the amendment be concurred in, and ask to be discharged from the further consideration of the subject.

JOHN L. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

The question being on agreeing to the amendments made to the bill by the Senate,

Mr. Priest moved that the House agree ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Priest,
Bailey,	Gordon,	Remer,
Bottomley,	Green,	Robinson,
Breitung,	Greusel,	Robertson,
Briggs,	Haire,	Sanderson,
Brunson,	Harris,	Sessions,
Buell,	Haywood,	Shaw,
Burns,	Hertzler,	Simpson,
Cady,	Hewitt,	Speed,
Caplis,	Hoar,	Striker,
Carter,	Hoyt,	Van Scoy,
Chafey,	Kellogg,	A. Walker,
Climie,	Knapp,	B. Walker,
Cobb,	Lewis,	J. Walker,
Curtis,	Lockwood,	L. Walker,
Dinturff,	Luce,	Walton,
Drake,	Markey,	Warren,
Drew,	E. R. Miller,	E. O. Watkins,
Fancher,	R. O. Miller,	Welch,
Ferguson,	Mitchell,	Welker,
Fey,	Morse,	Wheeler,
Garfield,	Noyes,	Zimmerman,
Gilmore,	Pierce,	Speaker, <i>pro tem</i>

## NAYS

Mr. Bartholomew,	Mr. Garvelink,	Mr. Rich,	
Bonine,	O'Dell,	Van Aken,	
Chamberlain,	Perry,		8

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

By the committees on agriculture and on Agricultural College:

The committees on agriculture and on Agricultural College, jointly, to whom was referred Senate bill No. 171, entitled

A bill to amend sections 1, 4, and 33 of act No. 180 of the session laws of 1871, being sections 3532, 3535 and 3564, chapter 134 of the compiled laws of 1871, entitled "An act to re-organize the State Agricultural College, and establish a State Board of Agriculture," approved March 15, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

The objects of this bill are: *First*, To change somewhat the law with regard to the filling of vacancies in the State Board of Agriculture; and *Secondly*, To change some portions of the law relative to the management of the State Agricultural College which have been found to be impracticable.

JACOB WALTON,

*Chairman Committee on Agriculture.*

JOHN T. RICH,

*Chairman Committee on Agricultural College.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred Senate bill No. 181, entitled

A bill to repeal section 22 of an act entitled "An act to provide for the construction of tram railways," approved February 13, 1855, being section 2482 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads to whom was referred Senate bill No. 182, entitled

A bill to repeal section 26 of an act entitled "An act to provide for the formation of street railway companies," approved March 5, 1867, being section 2527 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

selling the land must have known it; and in one instance the party buying must have also been a party to the fraud.

Exhibit "C" contains a list of 4,375.95 acres of lands reserved to the Chicago and Northwestern R. R. Co., and sold Dec. 31st, 1872, to Welcome Hyde, of Appleton, Wisconsin. The reservation of these lands to the R. R. Company was well known to the officials of the Land Office and to the public generally.

It was claimed by the Commissioner of the Land Office that these lands were forfeited to the State, and that he had a legal right to sell them, and he so stated on the back of the application. Whether he was right or wrong in his construction of the law, I cannot say; but the sale of so large a quantity of these lands on the last day of his term of office, without public notice, or without first notifying the railway company, was to say the least of it, unwise, and an unusual transaction.

Exhibit "D" is a list of 1240 acres of land sold to Henry D. Smith, December 27th and 31st, 1872. These lands are known as mineral lands, and the law requires that they shall not be sold at private sale, until after they have been offered at public sale. This condition of the law had not been complied with, and the records of the Land Office show this fact.

Six hundred and forty acres of this lot of lands was sold at four dollars per acre, which is the price of such lands, provided they have first been offered at public sale.

No patent has been issued for this lot, and I have taken the responsibility of issuing an order to the Secretary of State not to patent it. It is worth forty dollars per acre, and will sell for that at any time.

Six hundred acres of this lot was sold and patented at four dollars per acre, while, at the time of the sale, the certificate of the Governor and State Treasurer, dated August 26, 1869, fixing the minimum price at seven dollars per acre, in accordance with act 145 of the laws of 1863, was on file in the Land office.

I cannot conceive of a more flagrant violation of law and apparent intentional fraud than this case develops. The whole story is a shameful one, and shows a condition of affairs in the Land Office, in the latter part of 1872, that reflects great discredit upon the then head of that department and some of his employees. As I have said in the case of exhibit "A," the parties to whom the lands were patented are not, from that fact, to be prejudged as being in all cases parties to the frauds, as many of them unquestionably were ignorant of the facts; yet it is very clear to my mind, that a conspiracy was formed by parties outside and inside of the Land Office for the purpose of committing these frauds, and that the plan was as wickedly conceived as it was boldly executed.

The fair fame of the State, its good name at home and abroad, alike demand the most thorough and searching investigation of the matter, and if possible, the bringing to justice of the guilty parties. I commend the subject to your most careful consideration, and promise you my hearty co-operation in whatever action you may deem best to take. The present Commissioner of the Land Office, Hon. L. A. Clapp, and his deputy and clerks, have been dilligent in developing these illegal sales, and in taking steps to protect the State and individuals from loss.

JOHN J. BAGLEY.

**EXHIBIT "A."**  
*Lands Recently Sold, which had not been Patented to the State.*

No. of Certificate.	SUBDIVISION	Section.	Town.	Range.	Acres.	NAME OF PURCHASER.	Date of Sale.	County.	Residence.	TO WHOM PATENTED.	Date of Patent.	Number of Patent.
10515	s w ¼ of .....	10	18	1	160	Dimick Bennett.....	Aug 20, 1872	Gladwin...	Saginaw, Mich.	Dimick Bennett.....	Aug 20, 1872	25784
"	s w ¼ of s e ¼ .....	10	18	1	40	" " " " " " " " " " " "	"	"	"	"	"	"
10586	n w ¼ .....	21	18	1	160	Daniel W. Ingersoll .....	Aug 29, 1873	"	East Saginaw..	Daniel W. Ingersoll .....	Aug 29, 1873	25774
10587	s ¼ of s w ¼ .....	28	29	4	80	E. Eddy & L. Q. Richardson	"	Iosco .....	"	E. Eddy & L. Q. Richardson Algerman R. Faine, Saginaw, Mich.....	"	25775
10598	n w ¼ of n w ¼ .....	5	11	2	59.98	William C. Busch.....	Sept. 20, 1873	Saginaw...	Saginaw City..	"	Sept. 24, 1872	25919
"	n ¼ of n e ¼ .....	6	11	2	109.56	" " " " " " " " " " " "	"	"	"	"	"	"
10623	n e ¼ of n e ¼ .....	29	13	10	40	" " " " " " " " " " " "	Sept. 28, 1873	Tuscola.....	"	William C. Busch.....	Sept. 30, 1873	25987
10659	e ¼ of s e .....	7	11	3	80	" " " " " " " " " " " "	Oct. 12, 1872	Saginaw...	"	"	Oct. 12, 1873	26010
"	s w ¼ of s e ¼ .....	7	11	3	40	" " " " " " " " " " " "	"	"	"	"	"	"
10624	e ¼ of s e ¼ .....	11	19	9	80	Leonard Grade.....	Sept. 28, 1873	Tuscola.....	"	Leonard Grade.....	Sept. 30, 1873	25988
10768	s ¼ of n e ¼ .....	18	25	6	80	Cyrus Hewitt.....	Nov. 18, 1873	Alcona.....	Lansing, Mich..	Henry T. Carpenter, Lansing, Mich.....	Nov. 29, 1873	26581
"	s ¼ of n w ¼ .....	18	25	6	80	" " " " " " " " " " " "	"	"	"	"	"	"
"	n ¼ of s e ¼ .....	15	25	6	80	" " " " " " " " " " " "	"	"	"	"	"	"
"	n w ¼ .....	5	25	7	160	" " " " " " " " " " " "	"	"	"	"	"	"
"	e ¼ of n w ¼ .....	7	25	7	80	" " " " " " " " " " " "	"	"	"	"	"	"
"	s ¼ of n w ¼ .....	8	25	7	80	" " " " " " " " " " " "	"	"	"	"	"	"



10768	s % of s w %...	13 80	7 80	Cyrus Hewitt.....	Nov. 18, 1873	Alcona.....	Lansing, Mich.	Henry T. Carpenter, Lansing, Mich.	Nov. 29, 1872	20281
"	s w % of s e %.	13 80	7 40	"	"	"	"	"	"	"
"	w % of n w %.	13 80	7 80	"	"	"	"	"	"	"
"	n e % of n w %.	13 80	7 40	"	"	"	"	"	"	"
"	n w % of n e %.	13 80	7 40	"	"	"	"	"	"	"
10769	n % of s w %...	13 80	6 80	"	"	"	"	"	"	"
"	s % of s e %...	13 80	6 80	"	"	"	"	"	"	"
"	n % of n w %...	13 80	6 80	"	"	"	"	"	"	"
"	n w % of n e %.	13 80	6 40	"	"	"	"	"	"	"
"	e % of n e %...	14 80	6 80	"	"	"	"	"	"	"
"	n e % of s e %.	14 80	6 40	"	"	"	"	"	"	"
"	s w % of s e %.	14 80	6 40	"	"	"	"	"	"	"
"	s e % of s w %.	14 80	6 40	"	"	"	"	"	"	"
10769	n % of n w %...	9 80	7 80	"	"	"	"	Henry T. Carpenter, Lansing, Mich.	Nov. 29, 1872	20288
"	e % of s e %...	9 80	7 80	"	"	"	"	"	"	"
"	e % of s w %...	11 80	7 80	"	"	"	"	"	"	"
"	w % of n w %.	11 80	7 80	"	"	"	"	"	"	"
"	s e % of s e %.	11 80	7 40	"	"	"	"	"	"	"
"	n e % of n e %.	14 80	7 40	"	"	"	"	"	"	"
"	n % of s w %...	14 80	7 80	"	"	"	"	"	"	"
"	e % of n e %...	17 80	7 80	"	"	"	"	"	"	"
"	n % of s e %...	17 80	7 80	"	"	"	"	"	"	"

## EXHIBIT "A"—CONTINUED.

No. of CERTIFICATE.	SUBDIVISION	Section.	Town.	Range.	Acres.	NAME OF PURCHASER.	Date of Sale.	County.	Residence.	To Whom Patented.	Date of Patent.	Number of Patent.
"	n ½ of s w ¼..	18 26	7	80		Cyrus Hewitt.....	Nov. 18, 1873	Alcona.....	Lansing, Mich.	Henry T. Carpenter.	Nov. 30, 1872	26258
"	s e ¼ of s w ¼..	18 26	7	40		"	"	"	"	"	"	"
"	e ¼ of n w ¼..	19 26	7	80		"	"	"	"	"	"	"
"	n ½ of s w ¼..	23 26	7	80		"	"	"	"	"	"	"
"	s w ¼ of n w ¼..	23 26	7	40		"	"	"	"	"	"	"
"	n ½ of n e ¼..	24 26	7	80		"	"	"	"	"	"	"
"	n ½ of n w ¼..	24 26	7	80		"	"	"	"	"	"	"
10801	s ½ of s e ¼..	7 23	5	80		Emmet H. Scott.....	Dec. 3, 1873	Iosco .....	Saginaw, Mich.	Emmet H. Scott .....	Dec. 4, 1872	26309
"	s ½ of s w ¼..	7 23	5	90		"	"	"	"	"	"	"
"	n e ¼ of n e ¼..	18 23	5	40		"	"	"	"	"	"	"
"	w ¼ of n e ¼..	18 23	5	80		"	"	"	"	"	"	"
"	e ¼ of s e ¼..	18 23	5	80		"	"	"	"	"	"	"
"	s w ¼ of s e ¼..	18 23	5	40		"	"	"	"	"	"	"
"	n w ¼.....	20 23	5	100		"	"	"	"	"	"	"
"	w ¼ of s w ¼..	20 23	5	80		"	"	"	"	"	"	"
"	n ½ of n w ¼..	20 23	5	80		"	"	"	"	"	"	"
"	s e ¼ of n w ¼..	20 23	5	40		"	"	"	"	"	"	"



## EXHIBIT "B."—CONTINUED.

No. of CERTIFICATE.	SUBDIVISION	Section.	Town.	Range.	Acres.	NAME OF PURCHASER.	Date of Sale.	County.	Residence.	TO WHOM PATENTED.	Date of Patent.	Number of Patent.
10823	entire.....	24 26 7	N 26 7	W 640		Richard S. Thomas.....	Dec. 23, 1872	Kalkaska.	Ionis Mich.....	Richard S. Thomas.....	Dec. 23, 1873	26429
"	w ½ of s w ¼..	26 26 7	N 26 7	W 80		" ".....	" "	" "	" "	" "	" "	"
10829	w ½ of n e ¼..	27 24 6	N 24 6	W 80		Wm. Harris.....	Dec. 31, 1873	Missaukee.	Midland, Mich.	William Harris.....	Jan. 2, 1873	26496
"	s e ¼ of n e ¼..	27 24 6	N 24 6	W 40		" ".....	" "	" "	" "	" "	" "	"
"	w ½ of n e ¼..	23 24 6	N 24 6	W 80		" ".....	" "	" "	" "	" "	" "	"
"	s e ¼ of n e ¼..	23 24 6	N 24 6	W 40		" ".....	" "	" "	" "	" "	" "	"
"	w ½ of s e ¼..	23 24 6	N 24 6	W 80		" ".....	" "	" "	" "	" "	" "	"
"	n e ¼ of s e ¼..	23 24 6	N 24 6	W 40		" ".....	" "	" "	" "	" "	" "	"

## EXHIBIT "C."

*Lands sold December 31st, 1872, which had been Reserved to Chicago and N. W. Railway Co.*

10879	w ½ of n w ¼..	4 37 26	W 12	W 14.12		Welcome Hyde.....	Dec. 31, 1873	Menominee	Appleton, Wis.	Welcome Hyde.....	Dec. 31, '73	26495
"	n e ¼ of s e ¼..	6 37 26	W 26	W 40		" ".....	" "	" "	" "	" "	" "	"
"	n e ¼ of n w ¼	18 37 26	W 26	W 40		" ".....	" "	" "	" "	" "	" "	"
"	n e ¼ of n w ¼	30 37 26	W 26	W 40		" ".....	" "	" "	" "	" "	" "	"
"	s w ¼ of n e ¼	40 37 26	W 26	W 40		" ".....	" "	" "	" "	" "	" "	"
"	n w ¼.....	2 37 27	W 27	W 150.93		" ".....	" "	" "	" "	" "	" "	26498
"	n e ¼.....	2 37 27	W 27	W 146.76		" ".....	" "	" "	" "	" "	" "	"

26487	26488
26489	26490
26491	26492
26493	26494
26495	26496
26497	26498
26499	26500
26501	26502
26503	26504
26505	26506
26507	26508
26509	26510
26511	26512
26513	26514
26515	26516
26517	26518
26519	26520
26521	26522
26523	26524
26525	26526
26527	26528
26529	26530
26531	26532
26533	26534
26535	26536
26537	26538
26539	26540
26541	26542
26543	26544
26545	26546
26547	26548
26549	26550
26551	26552
26553	26554
26555	26556
26557	26558
26559	26560
26561	26562
26563	26564
26565	26566
26567	26568
26569	26570
26571	26572
26573	26574
26575	26576
26577	26578
26579	26580
26581	26582
26583	26584
26585	26586
26587	26588
26589	26590
26591	26592
26593	26594
26595	26596
26597	26598
26599	26600
26601	26602
26603	26604
26605	26606
26607	26608
26609	26610
26611	26612
26613	26614
26615	26616
26617	26618
26619	26620
26621	26622
26623	26624
26625	26626
26627	26628
26629	26630
26631	26632
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26635	26636
26637	26638
26639	26640
26641	26642
26643	26644
26645	26646
26647	26648
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26657	26658
26659	26660
26661	26662
26663	26664
26665	26666
26667	26668
26669	26670
26671	26672
26673	26674
26675	26676
26677	26678
26679	26680
26681	26682
26683	26684
26685	26686
26687	26688
26689	26690
26691	26692
26693	26694
26695	26696
26697	26698
26699	26700
26701	26702
26703	26704
26705	26706
26707	26708
26709	26710
26711	26712
26713	26714
26715	26716
26717	26718
26719	26720
26721	26722
26723	26724
26725	26726
26727	26728
26729	26730
26731	26732
26733	26734
26735	26736
26737	26738
26739	26740
26741	26742
26743	26744
26745	26746
26747	26748
26749	26750
26751	26752
26753	26754
26755	26756
26757	26758
26759	26760
26761	26762
26763	26764
26765	26766
26767	26768
26769	26770
26771	26772
26773	26774
26775	26776
26777	26778
26779	26780
26781	26782
26783	26784
26785	26786
26787	26788
26789	26790
26791	26792
26793	26794
26795	26796
26797	26798
26799	26800
268	

## EXHIBIT "C"—CONTINUED.

No. of Certificate.	SUBDIVISION			Acres.	NAME OF PURCHASER.	Date of Sale.	County.	Residence.	To Whom Patented.	Date of Patent.	Number of Patent.
	Section.	Town.	Range.								
10678	sec 14	88	25	40	Welcome Hyde.....	Dec. 31, 1873	Menominee	Appleton, Wis.	Welcome Hyde.....	Dec. 31, '73	26488
"	sec 15	88	25	40	"	"	"	"	"	"	"
"	sec 16	88	25	40	"	"	"	"	"	"	"
"	sec 17	88	25	40	"	"	"	"	"	"	"
"	sec 18	88	25	40	"	"	"	"	"	"	"
"	sec 19	88	25	40	"	"	"	"	"	"	"
"	sec 20	88	25	40	"	"	"	"	"	"	"
"	sec 21	88	25	40	"	"	"	"	"	"	"
"	sec 22	88	25	40	"	"	"	"	"	"	"
"	sec 23	88	25	40	"	"	"	"	"	"	"
"	sec 24	88	25	40	"	"	"	"	"	"	"
"	sec 25	88	25	40	"	"	"	"	"	"	"
"	sec 26	88	25	40	"	"	"	"	"	"	"
"	sec 27	88	25	40	"	"	"	"	"	"	"
"	sec 28	88	25	40	"	"	"	"	"	"	"
"	sec 29	88	25	40	"	"	"	"	"	"	"
"	sec 30	88	25	40	"	"	"	"	"	"	"
"	sec 31	88	25	40	"	"	"	"	"	"	"
"	sec 32	88	25	40	"	"	"	"	"	"	"
"	sec 33	88	25	40	"	"	"	"	"	"	"
"	sec 34	88	25	40	"	"	"	"	"	"	"
"	sec 35	88	25	40	"	"	"	"	"	"	"
"	sec 36	88	25	40	"	"	"	"	"	"	"
"	sec 37	88	25	40	"	"	"	"	"	"	"
"	sec 38	88	25	40	"	"	"	"	"	"	"
"	sec 39	88	25	40	"	"	"	"	"	"	"
"	sec 40	88	25	40	"	"	"	"	"	"	"
"	sec 41	88	25	40	"	"	"	"	"	"	"
"	sec 42	88	25	40	"	"	"	"	"	"	"
"	sec 43	88	25	40	"	"	"	"	"	"	"
"	sec 44	88	25	40	"	"	"	"	"	"	"
"	sec 45	88	25	40	"	"	"	"	"	"	"
"	sec 46	88	25	40	"	"	"	"	"	"	"
"	sec 47	88	25	40	"	"	"	"	"	"	"
"	sec 48	88	25	40	"	"	"	"	"	"	"
"	sec 49	88	25	40	"	"	"	"	"	"	"
"	sec 50	88	25	40	"	"	"	"	"	"	"
"	sec 51	88	25	40	"	"	"	"	"	"	"
"	sec 52	88	25	40	"	"	"	"	"	"	"
"	sec 53	88	25	40	"	"	"	"	"	"	"
"	sec 54	88	25	40	"	"	"	"	"	"	"
"	sec 55	88	25	40	"	"	"	"	"	"	"
"	sec 56	88	25	40	"	"	"	"	"	"	"
"	sec 57	88	25	40	"	"	"	"	"	"	"
"	sec 58	88	25	40	"	"	"	"	"	"	"
"	sec 59	88	25	40	"	"	"	"	"	"	"
"	sec 60	88	25	40	"	"	"	"	"	"	"
"	sec 61	88	25	40	"	"	"	"	"	"	"
"	sec 62	88	25	40	"	"	"	"	"	"	"
"	sec 63	88	25	40	"	"	"	"	"	"	"
"	sec 64	88	25	40	"	"	"	"	"	"	"
"	sec 65	88	25	40	"	"	"	"	"	"	"
"	sec 66	88	25	40	"	"	"	"	"	"	"
"	sec 67	88	25	40	"	"	"	"	"	"	"
"	sec 68	88	25	40	"	"	"	"	"	"	"
"	sec 69	88	25	40	"	"	"	"	"	"	"
"	sec 70	88	25	40	"	"	"	"	"	"	"
"	sec 71	88	25	40	"	"	"	"	"	"	"
"	sec 72	88	25	40	"	"	"	"	"	"	"
"	sec 73	88	25	40	"	"	"	"	"	"	"
"	sec 74	88	25	40	"	"	"	"	"	"	"
"	sec 75	88	25	40	"	"	"	"	"	"	"
"	sec 76	88	25	40	"	"	"	"	"	"	"
"	sec 77	88	25	40	"	"	"	"	"	"	"
"	sec 78	88	25	40	"	"	"	"	"	"	"
"	sec 79	88	25	40	"	"	"	"	"	"	"
"	sec 80	88	25	40	"	"	"	"	"	"	"
"	sec 81	88	25	40	"	"	"	"	"	"	"
"	sec 82	88	25	40	"	"	"	"	"	"	"
"	sec 83	88	25	40	"	"	"	"	"	"	"
"	sec 84	88	25	40	"	"	"	"	"	"	"
"	sec 85	88	25	40	"	"	"	"	"	"	"
"	sec 86	88	25	40	"	"	"	"	"	"	"
"	sec 87	88	25	40	"	"	"	"	"	"	"
"	sec 88	88	25	40	"	"	"	"	"	"	"
"	sec 89	88	25	40	"	"	"	"	"	"	"
"	sec 90	88	25	40	"	"	"	"	"	"	"
"	sec 91	88	25	40	"	"	"	"	"	"	"
"	sec 92	88	25	40	"	"	"	"	"	"	"
"	sec 93	88	25	40	"	"	"	"	"	"	"
"	sec 94	88	25	40	"	"	"	"	"	"	"
"	sec 95	88	25	40	"	"	"	"	"	"	"
"	sec 96	88	25	40	"	"	"	"	"	"	"
"	sec 97	88	25	40	"	"	"	"	"	"	"
"	sec 98	88	25	40	"	"	"	"	"	"	"
"	sec 99	88	25	40	"	"	"	"	"	"	"
"	sec 100	88	25	40	"	"	"	"	"	"	"



## EXHIBIT "C."—CONTINUED.

No. of Certificate.	SUBDIVISION	Section.	Town.	Range.	Acres.	NAME OF PURCHASER.	Date of Sale.	County.	Residence.	To WHOM PATENTED.	Date of Patent.	No. of Patent.
10879	s w ¼ of s w ¼	36	36	24	40	Welcome Hyde	Dec. 31, 1872	Delta	Appleton, Wis.	Welcome Hyde	Dec. 31, 1872	26493
"	n ¼ of n w ¼	24	36	25	80	"	"	Menominee	"	"	"	"
"	w ¼ of n w ¼	28	36	25	80	"	"	"	"	"	"	"
"	n e ¼ of n e ¼	28	36	25	40	"	"	"	"	"	"	"
"	e ¼ of n e ¼	30	36	25	80	"	"	"	"	"	"	"
"	e ¼ of s e ¼	34	36	25	80	"	"	"	"	"	"	"
"	s e ¼ of n e ¼	34	36	25	40	"	"	"	"	"	"	"
"	s e ¼ of s e ¼	36	36	26	40	"	"	"	"	"	"	26498
"	n w ¼ of s w ¼	26	36	26	40	"	"	"	"	"	"	"
"	s e ¼ of s w ¼	26	36	26	40	"	"	"	"	"	"	"

## EXHIBIT "D."

## Reserved Mineral Lands sold December 31st, 1872.

11948	Entire of	16	47	26	640	Henry D. Smith	Dec. 27, '72	Marquette	Marquette, M.	Not Patented	.....	.....
11233	e ¼ of	16	48	26	820	"	Dec. 31, '72	"	"	Henry D. Smith	Dec. 31, '72	26484
	n e ¼ of n w ¼	15	48	26	40	"	"	"	"	"	"	26484
	s w ¼	16	48	26	160	"	"	"	"	"	"	26484
	s ¼ of n w ¼	16	48	26	80	"	"	"	"	"	"	26484



The descriptions above on this section were sold at four dollars per acre; the minimum price of this section was fixed at seven dollars per acre by the Governor and State Treasurer Aug. 26, 1869. See act 145, laws of 1863. Their certificate is on file in Land Office. No public offering since minimum was established.

STATE OF MICHIGAN, } ss.  
INGHAM COUNTY,

Before me, a notary public in and for said county, on this ninth day of March, A. D. 1873, came Roderick McDonald, of Bay City, Mich., who, being duly sworn, deposes and says that on or about the 18th day of November, A. D. 1872, he came to the State Land Office, in the city of Lansing, to purchase a tract of about 2440 acres of land, which one——Ellismon (a land looker) had represented to this affiant as State swamp lands which had been some three or four years reserved on a State road contract, and which lands the said Ellismon had, some time previous to this time, represented to said McDonald as being good pine lands; and that he, Ellismon, was authorized to sell the reservation or minutes of the land. On this representation this affiant had caused the lands to be re-looked at his own expense of about \$200; and this re-looking being satisfactory, he came, as above stated, to secure the lands. Ellismon had offered the lands to said McDonald at \$4 per acre for a patent from the State; and that was the price said affiant was to pay for the lands (and they are worth, as he verily believes, three or four times that price). But on coming here he found the lands had only been *recently* reserved and this, with the conduct of Ellismon at this time, made affiant suspect all was not right with Ellismon. McDonald then refused to trade with Ellismon, but paid him \$500 for the information which he had received. McDonald then bargained with Cyrus Hewitt, who he found had reserved the lands for, or at the request of, said Ellismon. The arrangement was made with Mr. Hewitt after office hours, and McDonald being

desirous of returning to Bay City that evening, left it with Hewitt to send deeds of the lands to him at State Bank of Bay City, which was afterwards done.

Subsequently said affiant sold the said lands to Harman & Crowl, of Cleveland, Ohio, and has deeded them to said parties  
**RODERICK McDONALD.**

Subscribed and sworn before me, at Lansing, April 9, 1873.

**L. B. POTTER,**

*Notary Public, Ingham County, Mich.*

**ALCONA COUNTY REGISTER'S OFFICE.**

**HARRISVILLE, MICH., }**  
**April 3, 1873. }**

*L. A. Clapp, Esq., Com'r. Land Office, Lansing:*

DEAR SIR—In reply to yours of the 28th ult., beg to state that the lands referred to, with others, were conveyed to Roderick McDonald of Tawas City, by Henry T. Carpenter of Lansing, Nov. 20, 1872, by warranty deed. They were conveyed to Messrs. Harmon & Crowl of Cleveland, Ohio, by R. McDonald, Nov. 28, 1872, and of record in this office.

Yours respectfully,

**C. P. REYNOLDS, Register.**

The message and exhibits were laid on the table.

Mr. Gilmore, leave being granted, offered the following:

*Resolved* (the Senate concurring), That a committee consisting of two on the part of the Senate and two on the part of the House, be appointed to examine into and investigate the matters set forth in the message of his Excellency the Governor, with respect to the alleged frauds and fraudulent transactions that have heretofore taken place in the office of the Commissioner of the State Land Office, and that such committee have full power to send for persons and papers, examine witnesses, and take all such measures in respect to such alleged frauds and fraudulent transactions as may be necessary to a full and complete investigation thereof. And that said committee also have authority to sit for such examin-

ation after the adjournment of the Legislature, and that they report to the Governor the testimony taken by them, with their opinion therein, as speedily as possible.

Laid over under the rules.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

Senate bill No. 196, entitled

A bill to provide for the appointment of State Historiographer, and for the publication of a documentary history of the State ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER,  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 244, entitled

A bill to set off from union school district No. 1 of Wyoming and Georgetown so much of said district as is located in the county of Ottawa ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Haire,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the bill was placed on the order of third reading.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
Lansing, April 10, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 181, entitled

A bill to provide for the collection of statistical information of the insane, deaf, dumb, and blind in this State, and to repeal a joint resolution relative to statistical information of the insane, deaf, dumb, and blind, approved April 3, 1848, being section 1883, chapter 52, compiled laws of 1871;

2. House bill No. 349, entitled

A bill to enlarge the corporate limits of the city of Detroit, and to create additional wards in said city,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
*Lansing, April 4, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 57, entitled

A bill relating to the accounting for money received and expended by certain officers ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. House bill No. 216, entitled

A bill to amend sections 35 and 37, chapter 215, relative to certain liens upon personal property, being sections 6823 and 6825 of the compiled laws of 1871 ;

2. House bill No. 179, entitled

A bill to amend section 5 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being section 2076 of the compiled laws of 1871 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following joint resolution :

Senate joint resolution No. 20, entitled

Joint resolution instructing the Attorney General to ascertain if the State has been defrauded in the matter of the payment of bounties, or whether bounties have been illegally paid ; and in case he finds the State has been defrauded or bounties have been illegally paid, then to commence such proceedings as may be necessary ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 21, entitled

Joint resolution for the relief of Charles Dutcher ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 12, entitled

Joint resolution relative to the State Library ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. House bill No. 220, entitled

A bill to provide for the appraisal and sale of the balance of section 16, in town 2 north, of range 3 west, in the county of Eaton ;

2. House bill No. 201, entitled

A bill to provide for appeals to the Supreme Court in certain cases,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

1. House bill No. 209, entitled

A bill to amend section 1 of an act entitled “An act to provide for the recording of town plats, and for vacating the same in certain cases,” approved April 19, 1839, being section 1344, chapter 32 of the compiled laws of 1871 ;

2. House bill No. 159, entitled

A bill to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties ; and to repeal chapter 97 of the compiled laws of 1871, and also act No. 94 of the session laws of 1871, approved April 12, 1871 ;

3. House bill No. 105, entitled

A bill to provide for recording certain evidence concerning titles to land ;

4. House bill No. 126, entitled

A bill to amend section 3 of an act entitled “An act to incorporate the union school district of the city of Owosso,” approved March 22, 1871,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The four named bills were referred to the committee on engrossment and enrollment, for enrollment.



The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills :

Senate bill No. 245, entitled

A bill to amend section 1 of an act entitled “ An act to provide for the payment of the salaries of the State officers,” approved April 17, 1871, being section 420 of the compiled laws of 1871 ;

Senate bill No. 247, entitled

A bill making appropriations for the expenses of the State officers and State government, and providing a tax to defray the same for the years 1873 and 1874 ;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were read a first and second time by their titles, and referred to the committee on ways and means.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 163, entitled,

A bill to amend section 4 of “ An act to provide for the settlement and drainage of swamp lands by actual settlers,” approved February 15, 1859, being section 3981 of the compiled laws of 1871,

In the passage of which, as amended by the substitute therefor, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 185, entitled

A bill to amend section 1, of an act entitled "An act to create a soldiers' aid fund for disabled Michigan soldiers, sailors, and marines, and Michigan men who have served in the late war in other State organizations, or in the force of the United States," the same being section 960, chapter 20, of the compiled laws of 1871,

And to inform the House that the Senate has amended the same by striking out in line 1 of section 1 the word "five" and inserting in lieu thereof the word "seven ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Green moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Bartholomew,	Mr. Garvelink,	Mr. Robertson,
Bonine,	Goodrich,	Rose,
Breitung,	Gordon,	Sanderson,
Brunson,	Green,	Sessions,
Buell,	Greusel,	Shaw,
Burns,	Haire,	Simpson,
Cady,	Hoyt,	Speed,
Caplis,	Lewis,	Thomas,
Carter,	Markey,	Thompson,
Chafey	E. R. Miller,	A. Walker,
Climie,	R. C. Miller,	B. Walker,
Cobb,	Mitchell,	J. Walker,
Croswell,	O'Dell,	Warren,
Drew,	Perry,	Welch,
Ferguson,	Priest,	Wheeler,
Fey,	Remer,	Zimmerman,
Garfield,	Rich,	Speaker <i>pro tem.</i>

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## NAYS.

Mr. Ackley,	Mr. Gilmore,	Mr. Pierce,
Bailey,	Haywood,	Ripley,
Bottomley,	Hertzler,	Van Aken,
Briggs,	Kellogg,	Van Scoy,
Chamberlain,	Lockwood,	L. Walker,
Curtis,	Luce,	Walton,
Drake,	Noyes,	West,
Fancher,		

22

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
Lansing, April 4, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following:

1. House bill No. 175, entitled

A bill to repeal act number 419 of the session laws of 1871, being an act to provide for the laying out and constructing a State road in Isabella county;

2. House bill No. 25, entitled

A bill to change the time of the annual meeting of St.

Peter's (Protestant Episcopal) Church, in the city of Hillsdale, from Wednesday to Monday in Easter week, and to increase the number of vestrymen of said church, from six to seven ;

3. House bill No. 200, entitled

A bill to amend sections 3 and 4 of an act entitled "An act to provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes," being act No. 455 of the session laws of 1871 ;

4. House bill No. 176, entitled

A bill to amend section 68 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1034 of the compiled laws of 1871 ;

5. House bill No. 169, entitled

A bill to amend section 71 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1037, chapter 21 of the compiled laws of 1871 ;

6. House bill 197, entitled

A bill to prohibit officers of public institutions from being interested in contracts made therewith, and to prevent bribery ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The six named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 4, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 246, entitled

A bill to provide for the custody and safe-keeping of persons who are tried for murder and other high crimes, and are acquitted by reason of insanity;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
Lansing, April 3, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 81, entitled

A bill to establish a State Board of Health, to provide for the appointment of a Superintendent of Vital Statistics, and to assign certain duties to local boards of health ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAS. H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

#### THIRD READING OF BILLS.

Senate bill No. 106, entitled

A bill to establish a bureau of industrial statistics ;

Was read a third time and was not passed, a majority of

all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bartholomew,	Mr. Fey,	Mr. Remer,
Bonine,	Gordon,	Robertson,
Bottomley,	Green,	Rose,
Breitung,	Haire,	Shaw,
Brunson,	Harris,	Striker,
Cady,	Hoyt,	Thomas,
Caplis,	Lewis,	Thompson,
Chamberlain,	Lockwood,	A. Walker,
Cobb,	Noyes,	Walton,
Drew,	O'Dell,	Wheeler,
Fancher,	Perry,	Speaker, <i>pro tem.</i>

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## NAYS.

Mr. Ackley,	Mr. Greusel,	Mr. Ripley,
Bailey,	Haywood,	Sanderson,
Briggs,	Hertzler,	Sessions,
Buell,	Hewitt,	Simpson,
Carter,	Kellogg,	Van Aken,
Chafey,	Luce,	Van Scoy,
Climie,	Markey,	J. Walker,
Curtis,	E. R. Miller,	L. Walker,
Dinturff,	R. C. Miller,	Warren,
Drake,	Mitchell,	C. W. Watkins,
Ferguson,	Morse,	Welch,
Garfield,	Parsons,	Welker,
Garvelink,	Pierce,	West,
Gilmore,	Priest,	Zimmerman,
Goodrich,	Rich,	

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Mr. L. Walker moved to reconsider the vote by which the House refused to pass the bill.

Mr. Ackley moved to lay the motion to reconsider on the table ;

Which motion prevailed.

House bill No. 319, entitled

A bill to provide for keeping more complete accounts in the educational, charitable, and penal institutions of the State ;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Robertson,
Bailey,	Haire,	Rose,
Bartholomew,	Harris,	Sanderson,
Bottomley,	Haywood,	Sessions,
Briggs,	Hertzler,	Shaw,
Brunson,	Hewitt,	Simpson,
Buell,	Hoar,	Speed,
Burns,	Hoyt,	Striker,
Cady,	Kellogg,	Thomas,
Caplis,	Knapp,	Thompson,
Carter,	Lewis,	Van Aken,
Chafey,	Lockwood,	Van Scoy,
Chamberlain,	Luce,	A. Walker,
Cobb,	Markey,	B. Walker,
Curtis,	E. R. Miller,	J. Walker,
Dinturff,	R. C. Miller,	L. Walker,
Drake,	Morse,	Walton,
Drew,	Noyes,	Warren,
Fancher,	O'Dell,	C. W. Watkins,
Ferguson,	Parsons,	Welch,
Fey,	Perry,	Welker,
Garfield,	Pierce,	West,
Garvelink,	Priest,	Wheeler,
Goodrich,	Remer,	Zimmerman,
Gordon,	Rich,	Speaker, <i>pro tem.</i>
Green,	Ripley,	77
	NAYS.	0

Title agreed to.

On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Remer, leave being granted, moved to take from the table

House joint resolution No. 23, entitled

Joint resolution for the relief of St. Clair county, and to authorize the Board of State Auditors to settle with the bail of Henry Johr, late treasurer of St. Clair county ;

Which motion prevailed.

The question being on the passage of the joint resolution,

The joint resolution was then read a third time and passed,

a majority of all the members elect voting therefor, by yeas and nays, as follows :

## NAYS.

Mr. Ackley,	Mr. Haywood,	Mr. Sanderson,
Bartholomew,	Hertzler,	Sessions,
Bottomley,	Hoar,	Shaw,
Breitung,	Kellogg,	Simpson,
Briggs,	Lewis,	Speed,
Brunson,	Lockwood,	Striker,
Burns,	Luce,	Thomas,
Cady,	Markey,	Thompson,
Caplis,	E. R. Miller,	Van Scoy,
Carter,	R. C. Miller,	A. Walker,
Cobb,	Mitchell,	B. Walker,
Croswell,	Noyes,	L. Walker,
Curtis,	Parsons,	Walton,
Dinturff,	Perry,	C. W. Watkins,
Drake,	Priest,	E. C. Watkins,
Fancher,	Remer,	Welch,
Garfield,	Ripley,	Welker,
Garvelink,	Robertson,	West,
Gilmore,	Rose,	Wheeler,
Harris,		

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## NAYS.

Mr. Bailey,	Mr. Goodrich,	Mr. Morse,
Buell,	Gordon,	O'Dell,
Chafey,	Green,	Pierce,
Chamberlain,	Greusel,	Rich,
Climie,	Haire,	Van Aken,
Drew,	Hewitt,	J. Walker,
Ferguson,	Hoyt,	Zimmerman,
Fey,	Knapp,	Speaker, <i>pro tem.</i>

24

Title and preamble agreed to.

Mr. Robertson, leave being granted, moved to take from the table House joint resolution No. 17, entitled

Joint resolution relative to the appointment of an agent for the collection of the amount due from the United States to the State of Michigan, on account of lands in this State disposed of by Indian reservation, military warrants, and land scrip, issued for military services in the wars of the United States ;



Which motion prevailed.

The question being on the passage of the joint resolution,

The joint resolution was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grousel,	Mr. Sessions,
Bottomley,	Haire,	Shaw,
Breitung,	Harris.	Simpson,
Briggs,	Hertzler,	Speed,
Brunson,	Hewitt,	Striker,
Burns,	Hoar,	Thomas,
Cady,	Knapp,	Thompson.
Caplis,	Lewis,	Van Scoy,
Carter,	Lockwood,	A. Walker,
Chafey,	Luce,	B. Walker,
Chamberlain,	E. R. Miller,	J. Walker,
Climie,	Mitchell,	L. Walker,
Cobb,	O'Dell,	Walton,
Croswell,	Parsons,	Warren,
Dinturff,	Perry,	O. W. Watkins,
Drake,	Priest,	E. C. Watkins,
Drew,	Bemer,	Welch,
Ferguson,	Ripley,	Welker,
Fey,	Robinson,	West,
Garvelink,	Robertson,	Wheeler,
Goodrich,	Rose,	Zimmerman,
Gordon,	Sanderson,	Speaker <i>pro tem</i> ,
Green,		67

## NAYS.

Mr. Fancher,	Mr. Kellogg,	Mr. Noyes,
Garfield,	Markey,	Pierce,
Haywood,	R. C. Miller,	Van Aken,
Hoyt,	Morse,	11

Title and preamble agreed to.

House bill No. 320, entitled

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 17, 1871, being section 2441, chapter 75 of the compiled laws of 1871;

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Fancher moved to amend the bill by striking out all of the first proviso after the word "taxation" in line 10, and inserting in lieu thereof the words "as are now or may hereafter be earned by such railroad company at the time of the assessment of said lands therein ;"

Which was agreed to.

Mr. Cady moved that the House take a recess until 2 o'clock this afternoon ;

Which motion did not prevail.

Mr. Noyes demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Ripley,
Bailey,	Haire,	Robinson,
Bartholomew,	Harris,	Robertson,
Bonine,	Haywood,	Rose,
Bottomley,	Hertzler,	Sanderson,
Briggs,	Hewitt,	Sessions,
Brunson.	Hoar,	Simpson,
Buell,	Hoyt,	Speed,
Cady,	Kellogg,	Striker,
Carter,	Knapp,	Thompson,
Chafey,	Lewis,	Van Aken,
Chamberlain,	Lockwood,	Van Scoy,
Climie,	Luce,	A. Walker,
Cobb,	Markey,	B. Walker,
Curtis,	E. R. Miller,	J. Walker,
Dinturff,	R. C. Miller,	L. Walker,
Drake,	Mitchell,	Warren,
Drew,	Morse,	C. W. Watkins,
Fancher,	Noyes,	E. C. Watkins,
Ferguson,	O'Dell,	Welch,
Fey,	Parsons,	Welker,
Garfield,	Perry,	West,
Garvelink,	Pierce,	Wheeler,
Goodrich,	Priest,	Zimmerman,
Gordon,	Remer,	Speaker, <i>pro tem.</i>
Green,	Rich,	

## NAYS.

Mr. Burns,  
Caplis,Mr. Gilmore,  
Shaw,

Mr. Walton,

5

Title agreed to.

On motion of Mr. Ferguson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Lewis,

Senate bill No. 183, entitled

A bill to amend section 4 of an act entitled "An act to regulate the manufacture and provide for the inspection of salt," approved March 6th, 1869, being section 1461 chapter 33 of the compiled laws of 1871,

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

Mr. E. C. Watkins moved that the consideration of Senate bill No. 193, entitled

A bill to revise the laws for the incorporation of railroad companies,

Be made the special order for this evening at 7½ o'clock ;

Which motion prevailed.

On motion of Mr. Welker,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.*2 o'clock P. M.*

The House met and was called to order by the Speaker *pro tem.*

Roll called: quorum present.

The House took up the order of

## MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following :

SENATE CHAMBER, {  
Lansing, April 11, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to respectfully request the House to return to the Senate, House bill No. 125, entitled

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled "Boards of Supervisors."

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Lewis,

The bill was taken from the table.

Mr. Walton moved that the request of the Senate be granted, and that the Clerk be instructed to transmit the bill to the Senate ;

Which motion prevailed.

Mr. Welker, leave being granted, presented the following petition, to which are appended some 200 signatures.

The petition was referred to the committee on towns and counties.

*To the Honorable the Senate and House of Representatives of the State of Michigan :*

We, the undersigned petitioners, believing that in our present situation we have not the rights which are guaranteed to us by the constitution of the United States and the State of Michigan, and believing that our natural location is such that we cannot be properly accommodated in Montcalm county; and believing that it was not your intention that we should even remain a part or parcel of said county, we would therefore respectfully ask your honorable body for the passage of the bill attaching the following townships to Kent county,

to wit: Township No. 11 and 12 north, and range 9 west, and townships No. 11 and 12 north, and range 10 west; and to that end your petitioners will ever pray.

On motion of Mr. Welker,

The House took up the order of

#### MOTIONS AND RESOLUTIONS.

Mr. Welker moved to take from the table

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the protection of fish in any or all the lakes or streams in Branch county;

Which motion prevailed.

On motion of Mr. Welker,

The bill was placed on the order of third reading.

Mr. Brietung offered the following:

WHEREAS, W. C. McCumber has been engaged in iron-mining in Marquette county as a private individual, and specific taxes are required by law to be paid by private individuals largely in excess of that required to be paid by corporations; therefore

*Resolved* (the Senate concurring), That the Auditor General is hereby authorized to remit to said W. C. McCumber the excess of such specific tax, over and above what corporations are required to pay by law.

Laid over under the rules.

Mr. Speed offered the following:

*Resolved*, That the clerk of the committee on municipal corporations be discharged from further duty in connection with that committee; and that he act as an assistant engrossing and enrolling clerk, under the direction of the engrossing and enrolling clerk;

Which was adopted.

The House resumed the order of

## THIRD READING OF BILLS

House bill No. 321, entitled

A bill to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relating to judgments and executions;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Bailey,	Haire,	Robinson,
Bartholomew,	Haywood,	Robertson,
Bonine,	Hewitt,	Sanderson,
Briggs,	Hoyt,	Sessions,
Cady,	Kellogg,	Shaw,
Caplis,	Knapp,	Simpson,
Chafey,	Lewis,	Van Aken,
Chamberlain,	Luce,	Van Scoy,
Climie,	E. R. Miller,	A. Walker,
Cobb,	R. C. Miller,	J. Walker,
Curtis,	Mitchell,	L. Walker,
Dinturff,	Morse,	Walton,
Drake,	Noyes,	Warren,
Drew,	O'Dell,	E. C. Watkins,
Fancher,	Parsons,	Welker,
Ferguson,	Perry,	West,
Garfield,	Pierce,	Wheeler,
Garvelink,	Priest,	Zimmerman,
Gilmore,	Remer,	Speaker <i>pro tem.</i>
Gordon,	Rich,	62

## NAYS.

Mr. Breitung,	Mr. Greusel,	Mr. Markey,
Brunson,	Hoar,	Speed,
Burns,	Lockwood,	Thompson,
Fey,		10

Title agreed to.

House bill No. 324, entitled

A bill to provide for the payment of expenses of circuit judges while discharging the duties of their respective offices ;

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. Greusel,	Mr. Shaw,
Breitung,	Hertzler,	Speed,
Brunson,	Hoar,	Thomas,
Cady,	Hoyt,	Thompson,
Caplis,	Knapp,	L. Walker,
Chafey,	Lewis,	Walton,
Croswell,	Lockwood,	E. O. Watkins,
Drew,	E. R. Miller,	Welker,
Fancher,	Mitchell,	Wheeler,
Ferguson,	Noyes,	Zimmerman,
Gilmore,	Ripley,	Speaker, <i>pro tem.</i>
Green,	Rose,	35

## NAYS.

Mr. Ackley,	Mr. Garfield,	Mr. Pierce,
Bailey,	Garvelink,	Priest,
Bonine,	Goodrich,	Remer,
Bottomley,	Gordon,	Rich,
Briggs,	Haire,	Robinson,
Buell,	Haywood,	Robertson,
Burns,	Hewitt,	Sanderson,
Carter,	Kellogg,	Sessions,
Chamberlain,	Luce,	Simpson,
Climie,	Markey,	Van Aken,
Cobb,	R. C. Miller,	Van Scoy,
Curtis,	Morse,	J. Walker,
Dinturff,	O'Dell,	Warren,
Drake,	Parsons,	Welch,
Fey,	Perry,	West,
		45

The Speaker *pro tem.* called Mr. Shaw to the chair.

House bill No. 327, entitled

A bill to provide for special appeals from decrees in chancery ;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Speed moved to amend the same by adding the following at the end of section 3: *Provided*, That the Supreme Court may order the testimony in full, or any part of it, to be certified to that court :

Which was agreed to.

Mr. Hoyt moved to amend the bill by striking out section 4;  
Which was not agreed to.

On motion of Mr. Speed,

The bill was amended by inserting after the word "under,"  
in line 1, section 5, the words "section four of."

The bill was then passed, a majority of all the members elect  
voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Pierce,
Bartholomew,	Goedrich,	Remer,
Bottomley,	Green,	Ripley,
Breitung,	Greusel,	Robertson,
Briggs,	Haire,	Rose,
Brunson,	Harris,	Sanderson,
Burns,	Haywood,	Shaw,
Cady,	Hertzler,	Speed,
Caplis,	Hewitt,	Thomas,
Chafey,	Hoar,	Thompson,
Chamberlain,	Knapp,	Van Aken,
Climie,	Lewis,	A. Walker,
Cobb,	Lockwood,	L. Walker,
Curtis,	Luce,	Walton,
Dinturff,	E. R. Miller,	Warren,
Drew,	Mitchell,	E. C. Watkins,
Fancher,	Morse,	Welch,
Ferguson,	Noyes,	West,
Fey,	O'Dell,	Wheeler,
Garfield,	Parsons,	Speaker <i>pro tem.</i>
Garvelink,	Perry,	62

#### NAYS.

Mr. Bailey,	Mr. Hoyt,	Mr. Robinson,
Buell,	Markey,	Simpson,
Carter,	R. C. Miller,	Van Scoy,
Croswell,	Priest,	J. Walker,
Gordon,	Rich,	Welker, 15

The Speaker *pro tem.* resumed the chair.

House bill No. 329, entitled

A bill to amend section 4269 of the compiled laws of 1871,  
in relation to estates and dower;

Was read a third time and was not passed, a majority of all.



the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. Garvelink,	Mr. Remer,
Briggs,	Gordon,	Robinson,
Brunson,	Green,	Rose,
Burns,	Haire,	Sanderson,
Cady,	Haywood,	Shaw,
Caplis,	Hertzler,	Speed,
Carter,	Hoyt,	Thompson,
Chafey,	Knapp,	Van Scoy,
Chamberlain,	Lockwood,	L. Walker,
Climie,	Markey,	Warren,
Cobb,	R. C. Miller,	E. C. Watkins,
Dinturff,	Mitchell,	Welker,
Fancher,	Parsons,	Wheeler,
Ferguson,	Perry,	Speaker, <i>pro tem.</i>

42

## NAYS.

Mr. Ackley,	Mr. Greusel,	Mr. Rich,
Bailey,	Harris,	Ripley,
Bonine,	Hewitt,	Robertson,
Bottomley,	Hoar,	Sessions,
Breitung,	Lewis,	Simpson,
Buell,	Luce,	Thomas,
Curtis,	E. R. Miller,	Van Aken,
Drew,	Morse,	A. Walker,
Fey,	Noyes,	J. Walker,
Garfield,	O'Dell,	Walton,
Gilmore,	Pierce,	Weloh,
Goodrich,	Priest,	West,

36

House bill No. 330, entitled

A bill to establish the right to the care and custody of minor children in case of the separation of husband and wife, being the father and mother of said minor children ;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Rich,
Bartholomew,	Haywood,	Robinson,
Briggs,	Hertzler,	Robertson,
Brunson,	Hewitt,	Rose,
Cady,	Hoyt,	Sanderson,

Mr. Carter, Chafey, Cobb, Curtis, Drew, Fancher, Ferguson, Fey, Garfield, Garvelink, Gilmore, Goodrich, Gordon, Green,	Mr. Knapp, Lewis, Luce, Markey, E. R. Miller, R. C. Miller, Mitchell, Morse, Noyes, O'Dell, Parsons, Perry, Priest, Remer,	Mr. Sessions, Shaw, Thompson, Van Aken, A. Walker, J. Walker, Walton, Warren, C. W. Watkins, E. C. Watkins, Welker, West, Wheeler,
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56

## NAYS.

Mr. Bailey, Bonine, Bottomley, Breitung, Buell, Burns, Chamberlain,	Mr. Dinturff, Drake, Greusel, Harris, Hoar, Pierce,	Mr. Ripley, Simpson, Speed, Thomas, Welch, Speaker <i>pro tem.</i>
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19

Title agreed to.

House bill No. 331, entitled

A bill to amend section 5246 of the compiled laws of 1871, being an act entitled "An act to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation ;"

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bartholomew, Chafey, Croswell, Drew, Ferguson, Gilmore, Gordon, Haire, Haywood,	Mr. Hoyt, Knapp, Markey, Mitchell, Robertson, Rose, Shaw, Speed,	Mr. Thomas, Thompson, A. Walker, L. Walker, C. W. Watkins, Wheeler, Zimmerman, Speaker, <i>pro tem.</i>
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25

## NAYS.

Mr. Ackley,	Mr. Garfield,	Mr. Perry,
Bailey,	Garvelink,	Pierce,
Bonine,	Goodrich,	Priest,
Bottomley,	Green,	Rich,
Briggs,	Greusel,	Ripley,
Brunson,	Harris,	Robinson,
Buell,	Hertzler,	Sanderson,
Cady,	Hewitt,	Sessions,
Caplis,	Hoar,	Simpson,
Carter,	Kellogg,	Van Aken,
Chamberlain,	Lewis,	Van Scoy,
Climie,	Lockwood,	J. Walker,
Cobb,	Luce,	Walton,
Curtis,	E. R. Miller,	Warren,
Dinturff,	R. C. Miller,	E. C. Watkins,
Drake,	Morse,	Welch,
Faucher,	O'Dell,	Welker,
Fey,	Parsons,	West,

54

Senate bill No. 148, entitled

A bill to amend section 2 and section 8 of an act entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils," approved April 3, 1869, being sections 1502 and 1508, chapter 33 of the compiled laws of 1871, and to add a new section thereto to stand as section 9 ;

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Bottomley moved that the bill be recommitted to the committee on public health ;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Green,	Mr. Robinson,
Bartholomew,	Greusel,	Robertson,
Bonine,	Haire,	Rose,
Briggs,	Haywood,	Sanderson,
Brunson,	Hertzler,	Sessions,
Cady,	Hewitt,	Shaw,

Mr. Carter,	Mr. Hoar,	Mr. Simpson,
Chafey,	Kellogg,	Thomas,
Chamberlain,	Knapp,	Thompson,
Clunie,	Lockwood,	Van Aken,
Cobb,	Luce,	A. Walker,
Croswell,	E. R. Miller,	J. Walker,
Curtis,	R. C. Miller,	L. Walker,
Dinturff,	Mitchell,	Walton,
Drake,	Morse,	Warren,
Fancher,	Noyes,	C. W. Watkins,
Ferguson,	Parsons,	E. C. Watkins,
Fey,	Perry,	Welch,
Garfield,	Pierce,	West,
Garvelink,	Priest,	Wheeler,
Gilmore,	Remer,	Zimmerman,
Gordon,	Rich,	Speaker <i>pro tem.</i>

66

## NAYS.

Mr. Ackley,	Mr. Drew,	Mr. Markey,
Bottomley,	Goodrich,	Ripley,
Burns,	Hoyt,	Speed,
Caplis,	Lewis,	Van Scoy,

12

The question being on agreeing to the title,

Mr. Bartholomew moved to amend the title as follows:

A bill to amend section 2 and section 6 of an act entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils," approved April 3, 1869, being sections 1502 and 1506 of the compiled laws of 1871 ;

Which motion prevailed.

The title, as amended, was then agreed to.

Senate bill No. 199, entitled

A bill to amend section 6725 of the compiled laws of 1871, relative to the action for causing death by wrongful act, neglect, or default;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,	Mr. Haire,	Mr. Robertson,
Bartholomew,	Haywood,	Sanderson,
Bonine,	Hertzler,	Sessions,

Mr. Briggs,	Mr. Hewitt,	Mr. Shaw,
Brunson,	Hoar,	Simpson,
Buell,	Hoyt,	Speed,
Burns,	Knapp,	Thomas,
Cady,	Lewis,	Thompson,
Caplis,	Lockwood,	Van Aken,
Carter,	Luce,	Van Scoy,
Chafey,	Markey,	A. Walker,
Chamberlain,	R. C. Miller,	J. Walker,
Climie,	Mitchell,	L. Walker,
Cobb,	Morse,	Walton,
Curtis,	Noyes,	Warren,
Dinturff,	Parsons,	C. W. Watkins,
Drake,	Perry,	E. C. Watkins,
Fancher,	Pierce,	Welch,
Ferguson,	Priest,	Welker,
Garfield,	Remer,	West,
Garvelink,	Rich,	Wheeler,
Goodrich,	Ripley,	Zimmerman,
Gordon,	Robinson,	Speaker <i>pro tem.</i> ,
Green,		70

## NAYS.

Mr. Ackley,	Mr. Gilmore,	Mr. Greusel,	3
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Title agreed to.

House bill No. 13, entitled

A bill to amend section 19 of chapter 249 of the compiled laws of 1871 ;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Remer,
Bailey,	Gordon,	Rich,
Bartholomew,	Green,	Robinson,
Bonine,	Greusel,	Robertson,
Bottomley,	Haire,	Rose,
Briggs,	Harris,	Sanderson,
Brunson,	Haywood,	Sessions,
Burns,	Hertzler,	Shaw,
Cady,	Hewitt,	Simpson,
Caplis,	Hoar,	Thomas,
Carter,	Kellogg,	Van Scoy,
Chafey,	Knapp,	A. Walker,

Mr. Chamberlain,	Mr. Lewis,	Mr. J. Walker,
Climie,	Luce,	L. Walker,
Cobb,	Markey,	Walton,
Croswell,	E. R. Miller,	Warren,
Curtis,	Mitchell,	C. W. Watkins,
Dinturff,	Morse,	E. C. Watkins,
Drake,	Noyes,	Welch,
Drew,	O'Dell,	Welker,
Fancher,	Parsons,	West,
Ferguson,	Perry,	Wheeler,
Fey,	Pierce,	Zimmerman,
Garfield,	Priest,	Speaker, <i>pro tem.</i>
Garvelink,		74

## NAYS.

Mr. Hoyt, 1

The question being on agreeing to the title,

Mr. Shaw moved to amend the title by adding thereto the words, "relative to chastity, morality, and decency ;"

Which motion prevailed.

The title as amended was then agreed to.

Mr. Drake moved to reconsider the vote by which the House refused to pass House joint resolution No. 25, entitled

Joint resolution providing for the proper fencing of Port Huron and Lake Michigan Railroad, and securing certain depot conveniences to the citizens of Capac ;

Which motion prevailed.

The question being on the passage of the joint resolution,

The joint resolution was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Perry,

The joint resolution was amended by adding at the end of line 7 the following :

"And it shall be the duty of the Railroad Commissioner, when such shall be appointed, to see that the requirements of this resolution are fulfilled."

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Garvelink,	Mr. Priest,
Bailey,	Goodrich,	Remer,
Bartholomew,	Gordon,	Rich,
Bonine,	Green,	Robinson,
Bottomley,	Greusel,	Robertson,
Breitung,	Haire,	Rose,
Brunson,	Haywood,	Sessions,
Buell	Hertzler,	Simpson,
Burns,	Hewitt,	Thompson,
Cady,	Hoar,	Van Scoy,
Caplis,	Hoyt,	A. Walker,
Carter,	Kellogg,	J. Walker,
Chamberlain,	Knapp,	L. Walker,
Climie,	Lewis,	C. W. Watkins,
Cobb,	Luce,	E. C. Watkins,
Curtis,	Markey,	Welch,
Dinturff,	Mitchell,	Welker,
Drake,	Morse,	Wheeler,
Drew,	O'Dell,	Zimmerman,
Ferguson,	Perry,	Speaker <i>pro tem</i> ,
Fey,	Pierce,	62

## NAYS.

Mr. Chafey,	Mr. Noyes,	Mr. Warren,
Garfield,	Shaw,	5

Title agreed to.

On motion of Mr. Buell,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Senate bill No. 198, entitled

A bill to authorize the appointment of a commissioner by the Governor, whose duty it shall be to obtain statistics and other information relative to the treatment and cure of inebriates ;

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bonine,	Mr. Gilmore,	Mr. Sanderson,
Breitung,	Haire,	Shaw,
Briggs,	Haywood,	Speed,

Mr. Brunson,	Mr. Knapp,	Mr. Thomas,
Burns,	Lewis,	A. Walker,
Cady,	Markey,	L. Walker,
Carter,	Mitchell,	Walton,
Chafey,	Noyes,	Warren,
Chamberlain,	O'Dell,	E. C. Watkins,
Climie,	Perry,	Welch,
Curtis,	Pierce,	Welker,
Drake,	Remer,	West,
Ferguson,	Rich,	Wheeler,
Garfield,	Robertson,	Speaker, <i>pro tem</i>
Garvelink,	Rose,	44

## NAYS.

Mr. Ackley,	Mr. Greusel,	Mr. Ripley,
Bailey,	Hertzler,	Sessions,
Buell,	Hewitt,	Simpson,
Dinturff,	Hoyt,	Thompson,
Drew,	Kellogg,	Van Aken,
Fey,	Luce,	Van Scoy,
Goodrich,	R. C. Miller,	J. Walker,
Gordon,	Morse,	C. W. Watkins,
Green,	Priest,	Zimmerman, 27

House bill No. 333, entitled

A bill to amend sections 1 and 2 of chapter 29, being sections 1323 and 1324 of the compiled laws of 1871, relative to the liability of townships or corporations neglecting to keep bridges or culverts in repair;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Priest,
Bailey,	Goodrich,	Remer,
Bartholomew,	Gordon,	Rich,
Bonine,	Green,	Robinson,
Bottomley,	Greusel,	Robertson,
Breitung,	Harris,	Rose,
Briggs,	Hertzler,	Sanderson,
Brunson,	Hewitt,	Sessions,
Buell,	Hoar,	Simpson,
Burns,	Hoyt,	Speed,
Cady,	Kellogg,	Thompson,
Carter,	Lewis,	Van Scoy,



Mr. Climie,	Mr. Markey,	Mr. A. Walker,
Croswell,	Knapp,	Walton,
Curtis,	R. C. Miller,	Warren,
Dinturff,	Mitchell,	E. C. Watkins,
Drake,	Morse,	Welker,
Fancher,	Noyes,	Wheeler,
Ferguson,	O'Dell,	Withington,
Fey,	Parsons,	Zimmerman,
Garvelink,	Pierce,	61

## NAYS.

Mr. Chafey,	Mr. Lockwood,	Mr. Van Aken,
Chamberlain,	Luce,	L. Walker,
Drew,	Perry,	C. W. Watkins,
Garfield,	Shaw,	Welch,
Haire,	Thomas,	Speaker, <i>pro tem.</i>
Haywood,		16

Title agreed to.

Senate bill No. 153, entitled

A bill to amend sections 1, 2, and 3 of an act entitled "An act to provide for an appeal from the board of school inspectors of any school district to the township board," approved April 5, 1869, being sections 3734, 3735, and 3736, in chapter 136 of the compiled laws of 1871 ;

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. West,

The bill was recommitted to the committee on education.

House bill No. 318, entitled

A bill to provide for the payment of a bounty to certain soldiers who enlisted in Michigan regiments, companies, and batteries, and were mustered into the service of the United States during the years 1861, 1862, 1863, 1864, and 1865, and to widows, children, and dependent parents of deceased soldiers ;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Morse moved that there be a call of the House ;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Cobb, Edwards, Knapp, Speed, and B. Walker.

On motion of Mr. Warren,

The Sergeant-at-Arms was despatched after the absentees.

Mr. Remer moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

Mr. E. R. Miller moved that the House adjourn;

Which motion did not prevail.

Mr. J. Walker moved that all further proceedings under the call be dispensed with.

The Sergeant-at-Arms announced Mr. Knapp at the bar of the House.

On motion of Mr. Walton,

Mr. Knapp was admitted within the bar, rendered an excuse, and took his seat.

Mr. Noyes moved that all further proceedings under the call be dispensed with.

Mr. Noyes demanded the yeas and nays.

The demand was seconded, and the motion did not prevail by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Hewitt,	Mr. Robertson,
Caplis,	Hoyt,	Thompson,
Carter,	Kellogg,	Van Scoy,
Croswell,	Lewis,	J. Walker,
Drake,	Lockwood,	L. Walker,
Fey,	E. R. Miller,	Walton,
Garfield,	R. C. Miller,	E. C. Watkins,
Garvelink,	Mitchell,	C. W. Watkins,
Gilmore,	Noyes,	Welch,
Goodrich,	Pierce,	Welker,
Gordon,	Priest,	Wheeler,
Greusel,	Ripley,	Speaker, <i>pro tem.</i>
Haywood,	Robinson,	

38

## NAYS.

Mr. Bailey,	Mr. Drew,	Mr. Perry,
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Mr. Bartholomew,	Mr. Fancher,	Mr. Remer,
Bonine,	Ferguson,	Rich,
Bottomley,	Green,	Rose,
Breitung,	Haire,	Sanderson,
Briggs,	Harris,	Sessions.
Brunson,	Hertzler,	Shaw,
Buell,	Hoar,	Simpson,
Burns,	Knapp,	Thomas,
Cady,	Luce,	A. Walker,
Chafey,	Markey,	Warren,
Chamberlain,	Morse,	West,
Climie,	O'Dell,	Withington,
Curtis,	Parsons,	Zimmerman,
Dinturff,		43

Mr. Noyes moved that the House adjourn.

Mr. Noyes demanded the yeas and nays.

The demand was seconded, and the motion did not prevail by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Hewitt,	Mr. Pierce,
Caplis,	Hoyt,	Thompson,
Carter,	Markey,	J. Walker,
Fey,	Mitchell,	L. Walker,
Greusel,	Noyes,	Walton,
		15

## NAYS.

Mr. Bailey,	Mr. Gilmore,	Mr. Rich,
Bartholomew,	Gordon,	Ripley,
Bonine,	Green,	Robinson,
Bottomley,	Haire,	Robertson,
Briggs,	Haywood,	Sanderson,
Brunson,	Hertzler,	Sessions,
Buell,	Hoar,	Shaw,
Burns,	Kellogg,	Simpson,
Cady,	Knapp,	Thomas,
Chafey,	Lewis,	A. Walker,
Chamberlain,	Lockwood,	Warren,
Climie,	Luce,	C. W. Watkins,
Curtis,	E. R. Miller,	E. C. Watkins,
Dinturff,	R. C. Miller,	Welch,
Drake,	Morse,	Welker,
Drew,	O'Dell,	Wheeler,
Fancher,	Perry,	Withington,
Garfield,	Priest,	Zimmerman,
Garvelink,	Remer,	56

On motion of Mr. Croswell,

All further proceedings under the call were suspended, save that the Sergeant-at-arms was directed to use due diligence, and bring the absentees before the bar of the House, to answer for their absence without leave.

The question being on the passage of the bill,

Mr. Buell moved that the House take a recess until 7½ o'clock this evening ;

Which motion did not prevail.

Mr. Bonine demanded the previous question.

The demand was seconded, and the main question ordered.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Bartholomew,	Mr. Haire,	Mr. Thomas,
Bonine,	Mitchell,	Welker,
Brunson,	Remer,	Withington,
Ferguson,	Rose,	11

#### NAYS.

Mr. Ackley,	Mr. Green,	Mr. Rich,
Bailey,	Greusel,	Ripley,
Bottomley,	Harris,	Robinson,
Breitung,	Haywood,	Robertson,
Briggs,	Hertzler,	Sanderson,
Buell,	Hewitt,	Sessions,
Burns,	Hoar,	Shaw,
Cady,	Hoyt,	Simpson,
Caplis,	Kellogg,	Thompson,
Carter,	Knapp,	Van Scoy,
Chafey,	Lewis,	A. Walker,
Chamberlain,	Lockwood,	J. Walker,
Climie,	Luce,	L. Walker,
Curtis,	Markey,	Walton,
Dinturff,	E. R. Miller,	Warren,
Drew,	R. C. Miller,	C. W. Watkins,
Fancher,	Morse,	E. C. Watkins,
Fey,	Noyes,	Welch,
Garfield,	O'Dell,	West,
Garvelink,	Perry,	Wheeler,
Gilmore,	Pierce,	Zimmerman,
Goodrich,	Priest,	Speaker <i>pro tem.</i>
Gordon,		68

On motion of Mr. Greusel,

The Clerk was directed to address a respectful message to the Senate requesting the return to the House of Senate joint resolution No. 7, entitled

Joint resolution for the relief of E. O. Grosvenor and others.

The Sergeant-at-Arms announced Mr. Speed at the bar of the House.

On motion of Mr. Bottomley,

Mr. Speed was admitted within the bar, rendered an excuse, and took his seat.

Mr. Brunson moved to reconsider the vote by which the House refused to pass House joint resolution No. 20, entitled

Joint resolution granting the privilege of the elective franchise to the women of this State ;

Which motion did not prevail.

Mr. E. R. Miller moved that the House take a recess until 7½ o'clock this evening ;

Which motion did not prevail.

Mr. L. Walker moved that the House adjourn ;

Which motion did not prevail.

Mr. Rose asked leave to make a motion ;

Leave was not granted.

On motion of Mr. Ferguson,

The House took a recess until 7½ o'clock this evening.

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EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker *pro tem.*

Roll called: quorum present.

The hour having arrived for the

## SPECIAL ORDER.

On motion of Mr. Ferguson,

The House went into committee of the whole on the special order,

Mr. Hoyt in the chair,

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies;

But not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. P. HOYT, *Chairman.*

Report accepted.

On motion of Mr. Ripley,

Leave was granted the committee to sit again.

Mr. Brunson moved that the bill be made the special order for Monday evening at 7½ o'clock.

Mr. Bottomley moved to amend the motion by making the time 9½ o'clock to-morrow morning;

Which motion prevailed.

The motion as amended then prevailed.

Mr. Warren moved that the House adjourn until 9 o'clock to-morrow morning.

Pending which,

On motion of Mr. Hoyt,

The House adjourned.

*Lansing, Saturday, April 12, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Crosby.

Roll called: quorum present.

Absent without leave, Messrs. Edwards, Knapp, Speed, and Wixson.

Mr. Zimmerman asked and obtained leave of absence for Mr. Knapp indefinitely, on account of sickness.

Mr. Hoyt asked and obtained leave of absence for Mr. Wixson until Monday noon.

Mr. Burns asked leave of absence for Mr. Speed until Monday noon.

Leave was not granted.

Mr. Parsons asked and obtained leave of absence for the day

Mr. Garfield asked and obtained leave of absence until Tuesday next.

The Sergeant-at-Arms announced Mr. Cobb at the bar of the House, in accordance with its order.

On motion of Mr. Warren,

Mr. Cobb was admitted within the bar, rendered an excuse for his absence, and took his seat.

The Sergeant-at-Arms announced Mr. B. Walker at the bar of the House, in accordance with its order.

Mr. B. Walker was admitted within the bar, rendered an excuse for his absence, and took his seat.

The hour having arrived for the

SPECIAL ORDER.

On motion of Mr. Buell,

The House went into committee of the whole on the special order,

Mr. Hoyt in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

But not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. P. HOYT, *Chairman*.

Report accepted.

On motion of Mr. Gilmore,

Leave was granted the committee to sit again.

Mr. Buell moved that there be a call of the House;

Which motion prevailed.

#### PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave: Messrs. Caplis, Bartholomew, Hertzler, Simpson, Speed, Thomas, Thompson, Van Aken, and Zimmerman.

Mr. Watkins moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Breitung at the bar of the House.

On motion of Mr. Perry,

Mr. Breitung was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Simpson at the bar of the House.

On motion of Mr. Bottomley,

Mr. Simpson was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Thomas at the bar of House.

On motion of Mr. Warren,



Mr. Thomas was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Ferguson at the bar of the House.

On motion of Mr. Lewis,

Mr. Ferguson was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Zimmerman at the bar of the House.

On motion of Mr. Chamberlain,

Mr. Zimmerman was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Thompson at the bar of the House.

On motion of Mr. Welch,

Mr. Thompson was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Croswell,

All further proceedings under the call were suspended, save that the Sergeant-at-arms was directed to use due diligence, and bring the absentees before the bar of the House, to answer for their absence without leave.

#### SPECIAL ORDER.

On motion of Mr. Withington,

The House went into committee of the whole on the special order,

Mr. Hoyt in the chair.

After some time spent therein, the committee rose and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies;

But not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. P. HOYT, *Chairman*.

Report accepted.

On motion of Mr. Welker,

Leave was granted the committee to sit again.

Mr. E. C. Watkins asked and obtained leave of absence until Tuesday next.

Mr. Lewis asked and obtained leave of absence until Tuesday next.

Mr. O. W. Watkins asked and obtained leave of absence indefinitely, on account of sickness.

The Sergeant-at-Arms announced Mr. Caplis at the bar of the House, in accordance with its order.

On motion of Mr. Climic,

Mr. Caplis was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Bartholomew at the bar of the House, in accordance with its order.

On motion of Mr. Perry,

Mr. Bartholomew was admitted within the bar.

On motion of Mr. Hoyt,

Mr. Bartholomew's excuse was deemed sufficient, and he was permitted to take his seat.

The Sergeant-at-Arms announced Mr. Hertzler at the bar of the House, in accordance with its order.

On motion of Mr. Markey,

Mr. Hertzler was admitted within the bar, rendered an excuse and took his seat.

Mr. Thomas moved that the House take a recess until 1½ o'clock this afternoon.

Mr. Hoyt moved to amend so as to make the hour 2 o'clock; Which was agreed to.

The motion to take a recess then prevailed.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

## REPORTS OF STANDING COMMITTEES.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate joint resolution No. 20, entitled

Joint resolution instructing the Attorney General to ascertain if the State has been defrauded in the matter of the payment of bounties, or whether bounties have been illegally paid, and in case he finds the State has been defrauded, or bounties have been illegally paid, then to commence such proceedings as may be necessary,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. WITHINGTON, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Withington,

The rules were suspended and the joint resolution was placed on the order of third reading.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 261, entitled

A bill to amend an act entitled "An act to incorporate the village of Midland City," approved April 3, 1869, and acts amendatory thereto;

2. House bill No. 175, entitled

A bill to repeal act number 419 of the session laws of 1871, being an act to provide for the laying out and constructing a State road in Isabella county ;

3. House bill No. 145, entitled

A bill to incorporate the village of Deerfield ;

4. House bill No. 163, entitled

A bill to amend section 4 of "An act to provide for the settlement and drainage of swamp lands by actual settlers," approved February 15, 1859, being section 3981 of the compiled laws of 1871 ;

5. House bill No. 349, entitled

A bill to enlarge the corporate limits of the city of Detroit, and to create an additional ward in said city ;

6. Also, the following joint resolution :

House joint resolution No. 21, entitled

A joint resolution for the relief of Charles Dutcher.

C. D. LUCE, *Acting Chairman.*

Report accepted.

By the committee on horticulture :

The committee on horticulture, to whom was referred

A bill to authorize the State Pomological Society to employ an entomologist, and to make provision for his payment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. WEST, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. O'Dell,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Breitung moved to take from the table

A bill to enable railroad companies to amend their articles of association in certain cases;

Which motion prevailed.

On motion of Mr. Breitung,

The bill was recommitted to the committee on railroads.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 246, entitled

A bill to provide for the custody and safe-keeping of persons who are tried for murder and other high crimes and are acquitted by reason of insanity,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be reprinted and placed on the general order, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education :

The committee on education, to whom was re-referred Senate bill No. 153, entitled

A bill to amend sections 1, 2, and 3 of an act entitled "An act to provide for an appeal from the board of school inspectors of any school district, to the township board," approved April 5, 1869, being sections 3734, 3735, and 3736 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Warren,

The bill was placed on the order of third reading.

By the committee on State affairs :

The committee on State affairs, to whom was recommitted House bill No. 258, entitled

A bill to provide for the perpetuation of evidence of maps or plats of towns, cities, villages, &c.,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Bonine,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on drainage :

The committee on drainage, to whom was re-referred House bill No. 297, entitled

A bill to provide for the payment of certain ditch or drainage orders,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

D. S. PRIEST, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cady,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on public health:

The committee on public health, to whom was recommitted House bill No. 241, entitled

A bill to amend section 1 of "An act to prevent the adulteration of coal oil," being section 7731, chapter 250 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

I. H. BARTHOLOMEW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brewer,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Bartholomew,

The bill was placed on the order of third reading.

#### MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER, }  
*Lansing, April 12, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to re-transmit the following joint resolution:

Senate joint resolution No. 7, entitled

Joint resolution for the relief of E. O. Grosvenor and others;

In accordance with the request of the House this day received.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Greusel,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
Lansing, April 11, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 125, entitled

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled "Boards of Supervisors,"

And to inform the House that the Senate has amended the same by inserting in line 13 after the word "any" the word "other;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Bottomley moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Bailey,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,

Mr. Gordon,  
Green,  
Greusel,  
Harris,  
Haywood,  
Hewitt,

Mr. Ripley,  
Robinson,  
Robertson,  
Rose,  
Sanderson,  
Sessions,



Mr. Brunson,	Mr. Hoar,	Mr. Shaw,
Burns,	Hosner,	Simpson,
Cady,	Hoyt,	Striker,
Caplis,	Kellogg,	Van Aken,
Carter,	Lockwood,	Van Scoy,
Chafey,	Luce,	A. Walker,
Chamberlain,	Markey,	B. Walker,
Climie,	E. R. Miller,	J. Walker,
Cobb,	R. C. Miller,	Walton,
Croswell,	Morse,	Warren,
Curtis,	Noyes,	Welch,
Drake,	O'Dell,	Welker,
Drew,	Perry,	West,
Ferguson,	Pierce,	Wheeler,
Fey,	Priest,	Withington,
Garvelink,	Remer,	Zimmerman,
Goodrich,	Rich,	Speaker, <i>pro tem</i>
		69

## NAYS.

Mr. Gilmore, Mr. Thompson, 2

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER, }  
Lansing, April 11, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 78, entitled

A bill to amend section 7 of chapter 169, it being section 4725 of the compiled laws of 1871, relative to marriage and the solemnization thereof;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER, }  
*Lansing, April 11, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 101, entitled

A bill to amend section 1 of chapter 39 of revised statutes of 1846, being section 1960, chapter 53, of the compiled laws of 1871, relative to disorderly persons,

And to inform the House that the Senate has amended the same by adding to section 1 the following:

*Provided*, That persons complained of as being disorderly under the provisions of this act shall be entitled to a jury trial, as provided in cases of misdemeanor,

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoyt moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Rose,
Bailey,	Haire,	Sanderson,
Bartholomew,	Harris,	Sessions,
Bonine,	Haywood,	Shaw,
Bottomley,	Hewitt,	Simpson,
Briggs,	Hoar,	Striker,
Brunson,	Hosner,	Thompson,
Burns,	Hoyt,	Van Aken,
Caplis,	Kellogg,	Van Scoy,
Cady,	Markey,	A. Walker,
Carter,	E. R. Miller,	B. Walker,
Chamberlain,	R. C. Miller,	J. Walker,
Climie,	Mitchell,	L. Walker,
Cobb,	Morse,	Walton,
Curtis,	Noyes,	Warren,
Dinturff,	O'Dell,	Welch,

Mr. Drake,	Mr. Perry,	Mr. Welker,
Fancher,	Pierce,	West,
Ferguson,	Priest,	Wheeler,
Fey,	Remer,	Withington,
Garvelink,	Rich,	Zimmerman,
Goodrich,	Robinson,	Speaker, <i>pro tem.</i>
Green,	Robertson,	68
	NAYS.	0

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* announced the following :

SENATE CHAMBER, }  
*Lansing, April 11, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to inform the House that the Senate has appointed Senators Richardson, McGowan, and Brewer as a committee on the part of the Senate, with a like committee heretofore appointed on the part of the House, on the disagreement existing between the two Houses relative to House bill No. 167, entitled

A bill to amend section 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate," approved February 15, 1859, being section 7439 of the compiled laws of 1871.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The message was laid on the table.

The Speaker *pro tem.* announced the following :

SENATE CHAMBER, }  
*Lansing, April 12, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to re-transmit to the House Senate bill No. 234, entitled

A bill to incorporate the village of Clio,

In accordance with the request of the House this day received.

Very respectfully

JAMES H. STONE,

*Secretary of the Senate.*

The question being on the disposition to be made of the bill,

On motion of Mr. L. Walker,

The rules limiting the time in which the motion for a reconsideration may be made, were suspended.

Mr. L. Walker moved to reconsider the vote by which the House passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. L. Walker,

The bill was recommitted to the committee on municipal corporations.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,

*Lansing, April 11, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit to the House the following bill:

Senate bill No. 6, entitled

A bill in relation to challenges of jurors in criminal cases,

In order that the House may have possession of the same so as to be able to act upon the report of the committee of conference on the disagreement between the two Houses relative thereto.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the special committee on the disagreement between the two Houses.

Mr. Hoar moved to reconsider the vote by which the House refused to pass

House bill No. 329, entitled

A bill to amend section 4269 of the compiled laws of 1871,  
in relation to estates in dower;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Shaw.

The bill was recommitted to the committee on judiciary.

### THIRD READING OF BILLS.

Senate bill No. 132, entitled

A bill to amend sections 793, 799, and 800 of the compiled laws of 1871, being sections 2, 8, and 9 of an act entitled "An act to provide for taking the census and statistics of this State," approved February 9, 1853,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Noyes moved to amend the bill by striking out in lines 20 and 21, the words, "the number of pounds of fruit and vegetables dried by the Alden process," and in line 22 the words, "by all other processes;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Bartholomew,	Mr. Greusel,	Mr. Rose,
Bonine,	Haire,	Sanderson,
Bottomley,	Haywood,	Sessions,
Breitung,	Hewitt,	Shaw,
Briggs,	Hoar,	Simpson,
Brunson,	Hosner,	Thomas,
Burns,	Hoyt,	Van Aken,
Cady,	Kellogg,	Van Scoy,
Chafey,	Lockwood,	A. Walker,
Chamberlain,	Luce,	B. Walker,
Climie,	Markey,	J. Walker,
Cobb,	E. R. Miller,	L. Walker,
Collins,	R. C. Miller,	Walton,
Curtis,	Mitchell,	Warren,
Dinturff,	Morse,	Welch,
Drake,	Noyes,	Welker,
Drew,	O'Dell,	West,
Fancher,	Pierce,	Wheeler,

Mr. Garvelink,  
Gilmore,  
Goodrich,  
Gordon,  
Green,

Mr. Priest,  
Remer,  
Rich,  
Robinson,

Mr. Withington,  
Wixson,  
Zimmerman,  
Speaker, *pro tem.*

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## NAYS.

Mr. Ackley,  
Bailey,  
Buell,  
Carter,

Mr. Ferguson.  
Fey,  
Perry,  
Ripley,

Mr. Robertson,  
Striker,  
Thompson,

11

Title agreed to.

House bill No. 334, entitled

A bill establishing a lien for labor and services upon logs and timber,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Greusel demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Croswell,  
Curtis,  
Dinturff,  
Drake,  
Drew,

Mr. Gilmore,  
Goodrich,  
Gordon,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Kellogg,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,

Mr. Robinson,  
Robertson,  
Rose,  
Sanderson,  
Sessions,  
Shaw,  
Simpson,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
Welch,  
Welker,  
West,  
Wheeler,

Mr. Fancher,  
Ferguson,  
Fey,  
Garvelink,

Mr. Perry,  
Pierce,  
Priest,  
Rich,

Mr. Withington,  
Wixson,  
Zimmerman,  
Speaker, *pro tem.*

75

## NAYS.

Mr. Ripley,

Mr. Thompson,

2

Title agreed to.

Mr. Gordan moved to reconsider the vote by which the House refused to pass

Senate bill No. 198, entitled

A bill to authorize the appointment of a commissioner by the Governor, whose duty it shall be to obtain statistics and other information relative to the treatment and cure of inebriates,

Which motion prevailed ;

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,  
Bonine,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Caplis,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Collins,  
Dinturff,  
Drake,  
Fancher,  
Garvelink,  
Gilmore,

Mr. Greusel,  
Haire,  
Haywood,  
Hewitt,  
Hoar,  
Hoyt,  
Kellogg,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,

Mr. Robertson,  
Rose,  
Sessions,  
Shaw,  
Simpson,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,

Mr. Gordon,  
Green,

Mr. Ripley,  
Robinson,

Mr. Wixson,  
Speaker *pro tem.*,  
66

# NAYS.

Mr. Bottomley,  
Carter,

Mr. Drew,  
Goodrich,

Mr. Thompson,  
Zimmerman, 6

Title agreed to.

On motion of Mr. L. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. L. Walker,

The House took up the order of

## •REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred Senate bill No. 234, entitled

A bill to incorporate the village of Olio,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JNO. L. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. L. Walker,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Buell,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

# YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,

Mr. Green,  
Greusel,  
Haire,

Mr. Robertson,  
Rose,  
Sanderson,



Mr. Bonine,	Mr. Haywood,	Mr. Sessions,
Bottomley,	Hewitt,	Shaw,
Breitung,	Hoar,	Simpson,
Briggs,	Hosner,	Striker,
Buell,	Hoyt,	Thomas,
Burns,	Kellogg,	Thompson,
Cady,	Lockwood,	Van Aken,
Caplis,	Luce,	B. Walker
Carter,	Markey,	J. Walker,
Chafey,	E. R. Miller,	L. Walker,
Chamberlain,	R. C. Miller,	Walton,
Climie,	Mitchell,	Warren,
Cobb,	Morse,	Welch,
Curtis,	Noyes,	Welker,
Dinturff,	O'Dell,	West,
Drake,	Perry,	Wheeler,
Drew,	Pierce,	Withington,
Ferguson,	Priest,	Wixson,
Garvelink,	Remer,	Zimmerman,
Gilmore,	Rich,	Speaker <i>pro tem.</i> ,
Goodrich,	Robinson,	72
Gordon,		

NAYS.

0

Title agreed to.

On motion of Mr. L. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Shaw, leave being granted, offered the following:

*Resolved, by the House of Representatives, That a committee of five be appointed to ascertain and report to this House the names of its members absent without leave or indefinitely, who have absented themselves for a longer time than was necessary; and, also, to report what amount of pay, if any, should be deducted from their *per diem* allowance to be paid by this State; and that for this purpose said committee shall be authorized to send the Sergeant-at-arms, or some assistant of his, for said delinquents under the directions of this House, or to procure such information as such committee may desire in order to make an intelligent and equitable report upon this subject to the House;*

Which was adopted.

The House resumed the order of

THIRD READING OF BILLS.

House bill No. 309, entitled

A bill to regulate the loading of railroad freight cars, and to prevent the false and fraudulent billing of the same

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Buell demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bailey,	Mr. Greusel,	Mr. Rose,
Briggs,	Haire,	Sanderson,
Buell,	Harris,	Sessions,
Burns,	Haywood,	Shaw,
Cady,	Hewitt,	Simpson,
Caplis,	Hoar,	Thomas,
Carter,	Hosner,	Van Aken,
Cobb,	Hoyt,	A. Walker,
Croswell,	Lockwood,	B. Walker,
Curtis,	Markey,	L. Walker,
Dintruff,	Perry,	Warren,
Drake,	Pierce,	Welch,
Fancher,	Priest,	Welker,
Ferguson,	Remer,	Wheeler,
Garvelink,	Rich,	Withington,
Gilmore,	Robinson,	Wixson,
Green,	Robertson,	Zimmerman, 51

NAYS.

Mr. Ackley.	Mr. Goodrich,	Mr. Noyes,
Bottomley,	Gordon,	O'Dell,
Breitung,	Kellogg,	Ripley,
Brunson,	Luce,	Striker,
Chafey,	E. R. Miller,	Thompson,
Chamberlain,	R. C. Miller,	Van Scoy,
Olimie,	Mitchell,	Walton,
Drew,	Morse,	Speaker <i>pro tem.</i>
Fey,		25

Senate bill No. 94, entitled

A bill to protect members of religious societies in the enjoyment of their civil rights ;

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Briggs,	Mr. Ferguson,	Mr. Striker,
Brunson,	Fey,	Thomas,
Chafey,	Goodrich,	J. Walker,
Climie,	E. R. Miller,	L. Walker,
Cobb,	Robinson,	Walton,
Dinturff,	Rose,	Warren,
Fancher,		

19

## NAYS.

Mr. Ackley,	Mr. Haywood,	Mr. Ripley,
Bailey,	Hertzler,	Robertson,
Bonine,	Hewitt,	Sanderson,
Bottomley,	Hoar,	Sessions,
Breitung,	Hosner,	Shaw,
Buell,	Hoyt,	Simpson,
Burns,	Kellogg,	Thompson,
Cady,	Luce,	Van Aken,
Caplis,	Markey,	Van Scoy,
Carter,	R. C. Miller,	A. Walker,
Chamberlain,	Mitchell,	B. Walker,
Croswell,	Morse,	Welch,
Drew,	Noyes,	Welker,
Garvelink,	O'Dell,	West,
Gilmore,	Perry,	Wheeler,
Gordon,	Pierce,	Withington,
Green,	Priest,	Wixson,
Greusel,	Remer,	Zimmerman,
Haire,	Rich,	Speaker, <i>pro tem</i>
Harris,		

58

Mr. Buell moved to reconsider the vote by which the House refused to pass the bill.

On motion of Mr. Buell,

The motion to reconsider was laid on the table.

House bill No. 340, entitled

A bill to amend an act entitled "An act to provide for the uniform assessment of property, and for the collection and

return of taxes thereon," being sections 54, 59, 67, 70, 71, 73, 74, 75, 77, 78, 79, 80, 81, 82, 84, 87, 88, 89, 90, 91, 92, 93, 95, 99, 100, 102, 103, 104, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 149, 162, and to repeal sections 68, 76, 83, 94, 96, 97, 98, 105, 106, 107, 108, 109, 110, 111, 112, 113, and 118 of chapter 21, being sections 1020, 1025, 1033, 1036, 1037, 1039, 1040, 1041, 1043, 1044, 1045, 1046, 1047, 1048, 1050, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1061, 1065, 1066, 1068, 1069, 1070, 1080, 1083, 1085, 1086, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1115, 1121, 1128, 1130, 1034, 1042, 1049, 1060, 1062, 1063, 1064, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1084, of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Bonine, leave being granted, offered the following :

WHEREAS, Mr. Shaw is absent from the House without leave, therefore,

*Resolved*, That the Sergeant-at-Arms be directed to use diligence to bring him before the bar of the House to answer for contempt.

Mr. Lockwood moved to amend the resolution so as to include all the other absentees ;

Which was agreed to.

The Sergeant-at-Arms announced Mr. Rose at the bar of the House, in accordance with their order.

On motion of Mr. Ferguson,

Mr. Rose was admitted within the bar, rendered an excuse, and took his seat.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Bailey,  
Bottomley,  
Breitung,

Mr. Greusel,  
Harris,  
Haywood,

Mr. Rich,  
Ripley,  
Robinson,

Mr. Brunson,	Mr. Hertzler,	Mr. Rose,
Caplis,	Hewitt,	Sessions,
Chafey,	Hoar,	Striker,
Chamberlain,	Hosner,	Thomas,
Climie,	Hoyt,	Van Aken,
Curtis,	Kellogg,	B. Walker,
Dinturff,	Lockwood,	J. Walker,
Drew,	Luce,	L. Walker,
Fancher,	Markey,	Warren,
Ferguson,	E. R. Miller,	Welch,
Fey,	R. C. Miller,	Welker,
Garvelink,	Morse,	West,
Goodrich,	Noyes,	Wheeler,
Gordon,	Priest,	Wixson,
Green,	Remer,	Zimmerman, 54

## NAYS.

Mr. Bartholomew,	Mr. Drake,	Mr. Sanderson,
Bonine,	Gilmore,	Simpson,
Buell,	Haire,	Thompson,
Burns,	Mitchell,	Van Scoy,
Cady,	O'Dell,	A. Walker,
Carter,	Perry,	Walton,
Cobb,	Pierce,	Withington,
Croswell,	Robertson,	Speaker, <i>pro tem.</i>

24

Title agreed to,

Mr. Warren moved to reconsider the vote by which the House passed the bill.

On motion of Mr. Warren,

The motion to reconsider was laid on the table.

Senate bill No. 244, entitled

A bill to set off from union school district No. 1 of Wyoming and Georgetown so much of said district as is located in the county of Ottawa,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Greusel,	Mr. Robertson,
Bartholomew,	Haire,	Rose,
Bonine,	Harris,	Sanderson,
Bottomley,	Haywood,	Sessions,
Breitung,	Hewitt,	Simpson,

Mr. Brunson,	Mr. Hoar,	Mr. Striker,
Buell,	Hosner,	Van Aken,
Burns,	Hoyt,	Van Scoy,
Cady,	Kellogg,	A. Walker,
Caplis,	Lockwood,	B. Walker,
Carter,	Luce,	F. Walker,
Chafey,	Markey,	J. Walker,
Chamberlain,	E. R. Miller,	L. Walker,
Cobb,	R. C. Miller,	Walton,
Curtis,	Mitchell,	Warren,
Dinturff,	Morse,	Welch,
Drew,	Noyes,	Welker,
Ferguson,	O'Dell,	West,
Fay,	Perry,	Wheeler,
Garvelink,	Pierce,	Withington,
Gilmore,	Priest,	Wixson,
Goodrich,	Remer,	Zimmerman,
Gordon,	Ripley,	Speaker. <i>pro tem.</i>
Green,		70

NAYS.

0

Title agreed to.

On motion of Mr. Haire,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Withington, leave being granted, moved that the Clerk be instructed to send a respectful message to the Governor asking him to return to this House, House bill No. 185, entitled

A bill to amend section 1, of an act entitled "An act to create a soldiers' aid fund for disabled Michigan soldiers, sailors, and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States," the same being section 960, chapter 20, of the compiled laws of 1871;

Which motion prevailed.

On motion of Mr. Climie,

The House took up the order of

## UNFINISHED BUSINESS,

Being the consideration of the following:

*Resolved* (the Senate concurring), That from and after

Thursday, the 17th day of April, 1873, the two houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper houses by the Secretary and Clerk; and the time of final adjournment of this Legislature shall be on Tuesday, the 22d day of April, 1873, at 12 o'clock noon of that day.

Mr. Thomas demanded the yeas and nays.

The demand was seconded.

Mr. Hoyt moved to amend the resolution by striking out "17," and inserting in place thereof "24," and also by striking out "22," and inserting in lieu thereof "29;"

Mr. Crosswell moved that the resolution and amendment be laid on the table;

Which motion prevailed.

Also, the following:

*Resolved* (the Senate concurring), That a committee consisting of two on the part of the Senate and two on the part of the House, be appointed to examine into and investigate the matters set forth in the message of his Excellency the Governor, with respect to the alleged frauds and fraudulent transactions that have heretofore taken place in the office of the Commissioner of the State Land Office; and that such committee have full power to send for persons and papers, examine witnesses, and take all such measures in respect to such alleged frauds and fraudulent transactions as may be necessary to a full and complete investigation thereof. And that said committee also have authority to sit for such examination after the adjournment of the Legislature, and that they report to the Governor the testimony taken by them, with their opinion therein, as speedily as possible.

On motion of Mr. Climie,

The resolution was laid on the table.

Also the following:

WHEREAS, W. C. McCumber has been engaged in iron mining in Marquette county as a private individual, and specific taxes are required by law to be paid by private individuals largely in excess of that required to be paid by corporations; therefore

*Resolved* (the Senate concurring), That the Auditor General is hereby authorized to remit to said W. C. McCumber the excess of such specific tax, over and above what corporations are required to pay by law.

On motion of Mr. L. Walker,

The resolution was laid on the table.

Mr. Brunson moved that the House adjourn;

Which motion did not prevail.

Mr. Noyes moved that the House take a recess until 7½ o'clock this evening;

Which motion did not prevail.

Mr. Hertzler asked and obtained leave of absence until Tuesday evening.

The Speaker *pro tem.* announced as the special committee on absent members, Messrs. Shaw, Hoar, Perry, Simpson, and E. R. Miller.

On motion of Mr. Kellogg,

The House adjourned.

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*Lansing, Monday, April 14, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

Absent without leave: Messrs. Briggs, Brunson, Caplis, Dinturff, Edwards, Eggleston, Markey, Parsons, Pierce, Rose, Shaw, Speed, Thompson, and Withington.



Mr. Morse asked and obtained leave of absence for Mr. Thompson for the day.

Mr. Greusel asked and obtained leave of absence for Mr. Edwards indefinitely on account of sickness.

Mr. Warren asked leave of absence for Mr. Shaw for the morning.

Leave was not granted.

Mr. Gordon asked leave of absence for Mr. Speed for the morning.

Leave was not granted.

Mr. Buell asked and obtained leave of absence for Mr. Briggs for the forenoon.

Mr. Welker asked and obtained leave of absence for Mr. Brunson for the forenoon.

Mr. Grant asked and obtained leave of absence for Mr. Withington indefinitely on account of sickness.

Mr. Gordon asked leave of absence for Mr. Caplis for the morning.

Leave was not granted.

Mr. Gordon asked leave of absence for Mr. Pierce for the morning.

Leave was not granted.

Mr. Gordon asked leave of absence for Mr. Markey for the morning.

Leave was not granted.

Mr. Climie asked and obtained leave of absence for Mr. Parsons for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Hewitt: Petition of E. L. Koon and 10 other attorneys of Hillsdale county, asking that the House do not pass the bill providing for a code of practice in the courts of this State;

Referred to the committee on judiciary.

## REPORTS OF STANDING COMMITTEES.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill No. 247 entitled

A bill making appropriations for the expenses of the State officers and State government, and providing a tax to defray the same for the years 1873 and 1874,

Respectfully report that this bill provides for levying three hundred thousand dollars a year for the next two years for the purpose of paying the salaries of the State officers and other expenses of the State government. This is the amount that will be required for that purpose, as near as the same can be estimated. Your committee have therefore directed me to report the bill back to the House with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grant,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on ways and means :

The committee on ways and means, to whom was referred the petition of Charles W. Penney and Joshua Palmer, asking relief from liability on the official bond of John W. Hulin, late clerk of the Michigan State Prison; also the petition of P. B. Loomis, Samuel Higby, and 277 others for the same purpose; and also

Joint resolution for the relief of Charles W. Penney and Joshua Palmer, sureties on the official bond of John W. Hulin, late clerk of the Michigan State Prison,

Respectfully report that the object of the resolution is to discharge the sureties of said John W. Hulin from all liability upon the bond given by them when said Hulin assumed the duties of clerk of the State Prison. The number and charac-

ter of the petitioners entitle this subject to the fullest consideration by your committee and the Legislature. But aside from this, the question itself is a very important one to the State. The law requires that many of our public officers shall give a bond to the State for the faithful discharge of their duties. The amount of such bond is regulated by law according to the magnitude of the interests, or the amount of the public moneys or property entrusted to the care of such officers. Every surety signs such bond, knowing that he is to be held thereby according to the provisions of law, for every man is presumed to know the law. When should such sureties be discharged from their obligation by legislative action? Clearly not when they can be legally held liable, unless justice and equity imperatively demand it; and this should appear by a full and careful investigation of all the facts in the case. It is always a hardship to exact money from the sureties upon such bonds, for it is taking their money without any value received; but this they must be aware of when they sign the bonds. It is the policy of the State to protect itself by these bonds, and your committee would not certainly take the responsibility of recommending that such sureties be discharged from a *legal* obligation except upon the conditions above stated. If there is no legal obligation on the part of such sureties, then there is no necessity of Legislative action. If there is doubt as to the legal obligation of such sureties, still your committee are of the opinion that the Legislature should not take action in this and similar cases.

Any action on the part of the Legislature looking to relief, would involve a judicial investigation and decision on the part of the Legislature. Your committee think that such questions should be left to the judicial tribunals of the State, where ample provision is made for the protection of the rights of all. The statute books of this State contain but few instances where relief of this kind has been granted, and then it has been done by a reference to the Board of State Auditors, as in the case of John McKinney, formerly State Treasurer, in 1863.

While the Legislature has repeatedly refused to grant such relief, a further reason why a Legislature should hesitate to act in such case is that such investigations are to a great extent carried on *ex parte*, and in the multiplicity of Legislative business are hurriedly made.

The facts in this case to which your committee deem it necessary here to call attention are briefly as follows: Mr. Hulin was indicted on the 5th day of January, A. D. 1872, in the circuit court of Jackson county. There were four counts in the information. A *nolle prosequi* was entered on the first, second, and fourth counts, and the defendant plead guilty as to the third count, which count was drawn under section 7578 of the compiled laws of 1871, and charged him with embezzlement while employed in a public office. In July last suit was commenced on behalf of the State by the Attorney General against the sureties of Mr. Hulin, and that suit is now pending in the circuit court for Jackson county. Indirectly the rights and duties of other parties are affected by this litigation, to wit: those of the Agent and Inspectors of the Prison. Important legal questions are also involved in it, among which are the following:

What are the legal duties of the clerk under the law, which says almost nothing as to those duties?

Whom does the law make responsible for the moneys and property of the prison? The agent or clerk, or both? If the agent and the authorities see fit to prosecute him and his sureties, then another application will probably be made to the Legislature for relief on the bond of the agent. If the Legislature discharge in the one case without submission to the courts, then it will be argued why not do so in the other?

It is also claimed that the inspectors of the prison were negligent of their duty, and if this be true the legal question then arises: Does this discharge the sureties of said clerk? It will thus be seen that both questions of fact and of law will arise in this investigation,—questions which your committee deem it the peculiar province of the courts to adjudicate.

The testimony upon such trial will all be written down ; and if such sureties are held liable, but equities appear by the testimony which entitle the sureties to relief, the Legislature will then have the sworn facts in the case as a basis for their action.

Your committee express no opinion upon the legal or equitable rights of said sureties. They have not made such an investigation of the facts as would warrant them in doing so. This is one of those cases where the public interests rise paramount to the interests of individuals, and the equities which would warrant relief by the Legislature should be made to appear by an investigation before a judicial tribunal.

Your committee have therefore directed me to report said petitions and said joint resolution back to the House with the recommendation that the prayer of the petitioners be not granted, and that said joint resolution do not pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bottomley,

The joint resolution and petitions were laid on the table.

By the committee on ways and means :

The committee on ways and means, to whom was referred  
Joint resolution for the relief of Randolph Strickland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES BURNS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 185, entitled

A bill to amend section 1, of an act entitled "An act to create a soldiers' aid fund for disabled Michigan soldiers, sailors, and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States," the same being section 960, chapter 20, of the compiled laws of 1871;

2. House bill No. 169, entitled

A bill to amend section 71 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1037, chapter 21, of the compiled laws of 1871;

3. House bill No. 197, entitled

A bill to prohibit officers of public institutions from being interested in contracts made therewith, and to prevent bribery;

4. House bill No. 25, entitled

A bill to change the time of the annual meeting of St. Peter's (Protestant Episcopal) Church, in the city of Hillsdale, from Wednesday to Monday in Easter week, and to increase the number of vestrymen of said church, from six to seven;

5. House manuscript bill, entitled

A bill to revise the charter of the village of Whitehall;

6. House bill No. 209, entitled

A bill to amend section 1 of an act entitled "An act to provide for the recording of town plats, and for vacating the same in certain cases," approved April 19, 1839, being section 1344, chapter 32 of the compiled laws of 1871;

7. House bill No. 81, entitled

A bill to establish a State Board of Health, to provide for

the appointment of a Superintendent of Vital Statistics, and to assign certain duties to local boards of health ;

Also the following joint resolution :

8. House joint resolution No. 12, entitled

Joint resolution relative to the State Library.

C. D. LUCE, *Acting Chairman.*

Report accepted.

By the committee on State affairs :

The committee on State affairs, to whom was referred House manuscript bill, entitled

A bill to amend sections 647 and 649, relative to the term of office of the commissioners of highways ; section 695, relative to filling vacancies in the office of overseer of highways ; sections 728, 729, 730, 731, 732, 733, 734, and 735, relative to overseers and commissioners of highways ; sections 752, 753, 754, and 755, relative to the raising of money by tax or to borrow money to build or repair bridges, chapter 12 of the compiled laws of 1871 ; to amend chapters 23, 24, 25, 27, 28, and 31 ; sections 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270 and 1278, chapter 26 of the compiled laws of 1871, relative to highways, bridges, and private roads ; to amend sections 1753 and 1758, chapter 47 of the compiled laws of 1871, relative to the county drain law ; to amend sections 2027, 2028, 2029, 2030, 2031, 2032, 2033, and 2034, chapter 59 of the compiled laws of 1871, relative to animals running at large ; to amend chapter 68 of the compiled laws of 1871, relative to the spread of Canada thistles ; to amend section 2587, chapter 78 of the compiled laws of 1871, relative to plank road companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with sundry amendments, and recommend that the amendments be concurred in, and that the bill, when so amended do pass, and ask to be discharged from the further consideration of the subject.

T. G. BAILEY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

By the committee on local bills :

The committee on local bills have had under consideration House bill 302, entitled

A bill to provide for the construction of a State road in the county of Mecosta, to be called and known as the "Millbrook and Altona State road ;"

Also,

House bill 360, entitled

A bill to provide for the assessment and taxation of lands known as railroad lands,

And respectfully recommend that they be taken from the general order and placed on the order of third reading of bills.

J. K. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Welch,

The report was adopted and the bills were placed on the order of third reading.

The select committee appointed to make sundry amendments to House bill No. 124, entitled

A bill for the incorporation of villages,

Respectfully report that they have had the same under consideration, and, with the exception of Hon. L. Walker, who does not join in the recommendation, have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JNO. L. BUELL, *Chairman.*

Report accepted and committee discharged.



On motion of Mr. Bottomley,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Bonine,

The bill was placed on the order of third reading.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, April 13, 1873. }

*To the House of Representatives:*

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts:

1. An act to change the time of the annual meeting of St. Peter's Protestant Episcopal Church in the city of Hillsdale;

2. An act to amend an act entitled "An act to incorporate the city of Marquette;"

3. An act to enlarge the corporate limits of the city of Detroit, and to create an additional ward in said city;

4. An act to incorporate the village of Reading in Hillsdale county;

5. An act to amend an act to amend the laws relative to supplying the city of Detroit with pure and wholesome water;

6. An act to repeal act No. 425 of the laws of 1871, entitled an act to detach certain real estate from school district No. 1 fractional of Jackson county, and attaching the same to school district No. 3 of Parma;

7. An act to amend an act entitled an act to incorporate the village of Midland City, approved April 3, 1869;

8. An act to establish a State Board of Health, etc., etc.;

9. An act to repeal act No. 419 of the laws of 1871, establishing a State road in Isabella county.

JOHN J. BAGLEY.

The message was laid on the table.

THIRD READING OF BILLS.

House manuscript bill, entitled

A bill authorizing the board of supervisors of Branch county

to make all needful rules and regulations for the protection of fish in any of the lakes or streams in Branch county,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. Grant,	Mr. Sessions,
Bonine,	Greusel,	Simpson,
Bottomley,	Haire,	Striker,
Breitung,	Harris,	Thomas,
Buell,	Haywood,	Van Aken,
Cady,	Hoar,	A. Walker,
Carter,	Hosner,	B. Walker,
Chafey,	Hoyt,	Walton,
Chamberlain,	Kellogg,	Welch,
Drake,	E. R. Miller,	Welker,
Drew,	R. C. Miller,	West,
Fancher,	Mitchell,	Wheeler,
Ferguson,	O'Dell,	Wixson,
Garvelink,	Priest,	Zimmerman,
Gordon,	Remer,	Speaker, 45

## NAYS.

Mr. Ackley,	Mr. Goodrich,	Mr. Sanderson,
Climie,	Green,	Van Scoy,
Cobb,	Hewitt,	J. Walker,
Curtis,	Luce,	L. Walker,
Fey,	Robinson,	Warren, 15

Senate joint resolution No. 20, entitled

Joint resolution instructing the Attorney General to ascertain if the State has been defrauded in the matter of the payment of bounties, or whether bounties have been illegally paid; and in case he finds the State has been defrauded or bounties have been illegally paid, then to commence such proceedings as may be necessary,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Ripley,
Bailey,	Gordon,	Robinson,
Bartholomew,	Green,	Robertson,

Mr. Bonine,	Mr. Greusel,	Mr. Sessions,	
Bottomley,	Haire,	Simpson,	
Brietung,	Harris,	Striker,	
Buell,	Haywood,	Thomas,	
Cady,	Hewitt,	Van Aken,	
Carter,	Hoar,	Van Scoy,	
Chafey,	Hosner,	A. Walker,	
Chamberlain,	Hoyt,	B. Walker,	
Olimie,	Kellogg,	J. Walker,	
Cobb,	Luce,	L. Walker,	
Curtis,	E. R. Miller,	Walton,	
Drake,	R. C. Miller,	Warren,	
Drew,	Mitchell,	Welch,	
Fancher,	Morse,	Welker,	
Ferguson,	O'Dell,	Wheeler,	
Fey,	Priest,	Wixson,	
• Garvelink,	Remer,	Zimmerman,	61
Gilmore,			
	NAYS.		0

Title and preamble agreed to.

Senate bill No. 153, entitled

A bill to amend sections 1, 2, and 3 of an act entitled "An act to provide for an appeal from the board of school inspectors of any school district to the township board," approved April 5, 1869, being sections 3734, 3735, and 3736 in chapter 136 of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. L. Walker moved to amend the bill by striking out all of section 1 after the word "from," in line 10;

Which motion did not prevail.

On motion of Mr. Rich,

The bill was recommitted to the committee on education, with instructions to amend the bill so as to provide for an appeal from school districts situated in two or more counties.

House bill No. 241, entitled

A bill to amend section 1 of an act to prevent the adulteration of coal oil, being section 7731, chapter 250 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Greusel,	Mr. Robertson,
Bartholomew,	Haire,	Rose,
Bonine,	Harris,	Sanderson,
Bottomley,	Haywood,	Sessions,
Breitung,	Hewitt,	Simpson,
Buell,	Hoar,	Striker,
Cady,	Hosner,	Thomas,
Carter,	Hoyt,	Van Aken,
Chafey,	Kellogg,	Van Scoy,
Chamberlain,	Lockwood,	A. Walker,
Climie,	Luce,	B. Walker,
Cobb,	R. C. Miller,	J. Walker,
Drake,	Mitchell,	L. Walker,
Fancher,	Morse,	Walton,
Ferguson,	O'Dell,	Warren,
Fey,	Perry,	Welch,
Garvelink,	Priest,	Welker,
Gilmore,	Remer,	West,
Goodrich,	Rich,	Wheeler,
Gordon,	Ripley,	Zimmerman,
Grant,	Robinson,	Speaker,
Green,		

64

## NAYS.

Mr. Ackley,	Mr. E. R. Miller,	Mr. Wixson,	3
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Title agreed to.

Senate bill No. 247, entitled

A bill making appropriations for the expenses of the State officers and State government, and providing a tax to defray the same for the years 1873 and 1874,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,
Bonine,	Greusel,	Sanderson,
Bottomley,	Haire,	Sessions,
Breitung,	Harris,	Simpson,
Buell,	Haywood,	Striker,
Cady,	Hoar,	Thomas,
Carter,	Hoyt,	Van Aken,

Mr. Chafey,	Mr. Kellogg,	Mr. Van Scoy,	
Chamberlain,	Lockwood,	A. Walker,	
Climie,	Luce,	B. Walker,	
Cobb,	E. R. Miller,	J. Walker,	
Curtis,	R. O. Miller,	L. Walker,	
Drake,	Mitchell,	Walton,	
Fancher,	Morse,	Warren,	
Fey,	O'Dell,	Welker,	
Garvelink,	Priest,	West,	
Gilmore,	Remer,	Wheeler,	
Goodrich,	Ripley,	Wixson,	
Gordon,	Robinson,	Zimmerman,	
Grant,	Robertson,	Speaker	60
	NAYS.		0

Title agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 360, entitled

A bill to provide for the assessment and taxation of lands known as railroad lands,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Rose,

The bill was amended by inserting after the word "when" in line 3, section 2, the word "and;" also, by striking out in line 3, section 3, the word "by" and inserting the word "to" in lieu thereof.

The question being on the passage of the bill,

Mr. Grant moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. Lockwood,

The bill was amended by inserting in section 3, line 2, after the words "Auditor General" the word "forthwith."

Mr. Hoyt moved to amend the bill by striking out sections 3, 4, and 5.

Pending which,

Mr. Lockwood moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Caplis, Dinturff, Eggleston, Markey, Pierce, and Speed.

Mr. Hoar moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

On motion of Mr. Lockwood,

The Sergeant-at-Arms was despatched after the absentees.

On motion of Mr. Welker,

All further proceedings under the call were suspended, save that the Sergeant-at-Arms was directed to use due diligence, and bring the absentees before the bar of the House, to answer for their absence without leave.

The question being on striking out sections 3, 4, and 5 of the bill,

The motion did not prevail.

On motion of Mr. Hosner,

The bill was amended by inserting in line 3, section 3, after the word "earned," the word "by."

On motion of Mr. Buell,

The bill was amended by striking out the word "and" before the word "patented," and inserting in lieu thereof the word "or."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,  
Bottomley,  
Breitung,  
Buell,  
Cady,  
Carter,  
Chafey,  
Climie,  
Curtis,

Mr. Green,  
Greusel,  
Haire,  
Harris,  
Hewitt,  
Hosner,  
Kellogg,  
Lockwood,  
Luce,  
R. C. Miller,  
Morse,

Mr. Rose,  
Sanderson,  
Sessions,  
Simpson,  
Striker,  
Van Aken,  
Van Scoy,  
B. Walker,  
J. Walker,  
L. Walker,  
Warren,

Mr. Drake, Drew, Fancher, Ferguson, Garvelink, Goedrich, Gordon,	Mr. O'Dell, Perry, Priest, Remer, Rich, Robinson, Robertson,	Mr. Welch, Welker, West, Wheeler, Wixson, Zimmerman.
		53
NAYS.		

Mr. Bonine, Burns, Chamberlain, Cobb, Fey,	Mr. Gilmore, Grant, Haywood, Hoyt, E. R. Miller,	Mr. Mitchell, Shaw, Thomas, A. Walker, Walton,
		15

Title agreed to.

The Sergeant-at-Arms announced Mr. Shaw at the bar of the House, in accordance with its order.

On motion of Mr. A. Walker,

Mr. Shaw was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Van Aken,

The House took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

*2 o'clock P. M.*

The House met and was called to order by the Speaker.

Roll called: quorum present.

The Sergeant-at-Arms announced Mr. Caplis at the bar of the House, in accordance with its order.

On motion of Mr. Rich,

Mr. Caplis was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Pierce at the bar of House, in accordance with its order.

On motion of Mr. Lockwood,

Mr. Pierce was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Markey at the bar of the House, in accordance with its order.

On motion of Mr. Greusel,

Mr. Markey was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Dinturff at the bar of the House.

On motion of Mr. Warren,

Mr. Dinturff was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Speed at the bar of the House, in accordance with its order.

On motion of Mr. Buell,

Mr. Speed was admitted within the bar, rendered an excuse, and took his seat.

#### MOTIONS AND RESOLUTIONS.

Mr. Greusel offered the following :

*Resolved* (the Senate concurring), That a committee of three be appointed on the part of the House, and three on the part of the Senate, for the purpose of agreeing upon a day for the final adjournment of both Houses of this Legislature.

On motion of Mr. Greusel,

The rules were suspended and the resolution was adopted.

The Speaker announced as such committee on the part of the House, Messrs. Greusel, J. Walker and West.

Mr. Harris moved to discharge the committee on State affairs from the further consideration of a bill entitled

A bill relative to erecting a boom in the Ontonagon River ;  
Which motion prevailed.

On motion of Mr. Harris,

The bill was recommitted to the committee on lumber and salt interests.

Mr. Van Aken offered the following :

*Resolved*, That after to-day, April 14th, the regular sessions of this House shall commence at nine o'clock A. M.,

Which was adopted.



Mr. Ripley moved to take from the table House bill No. 229, entitled

A bill to legalize and facilitate the collection of taxes;

Which motion prevailed.

On motion of Mr. Ripley,

The bill was placed on the order of third reading.

Mr. Sanderson moved to discharge the committee of the whole from the further consideration of Senate bill No. 223, entitled

A bill to amend sections 12 and 13 of an act entitled "An act to incorporate the city of Battle Creek," approved February 3, 1869;

Which motion prevailed.

On motion of Mr. Sanderson,

The bill was placed on the order of third reading.

Mr. Fey moved to take from the table Senate bill No. 79, entitled

A bill making an appropriation of non-resident highway taxes for the Clio and Chesaning State Road, to aid in the completion of the same, and to repeal act No. 399 of the session laws of 1867, approved March 22, 1867, being an act to provide for the laying out and establishing of a State road from Clio, in Genesee county, to Chesaning, in Saginaw county, and to appropriate certain non-resident highway taxes to aid in the construction of the same; also to repeal act No. 304 of the session laws of 1871, approved February 14, 1871, being an act to amend section 2 of act No. 399 of the session laws of 1867, approved March 22, 1867, entitled, "An act to provide for laying out and establishing a State Road from Clio in Genesee county, to Chesaning in Saginaw county, and to appropriate certain non-resident highway taxes to aid in the construction of the same;"

Which motion prevailed.

On motion of Mr. Fey,

The bill was placed on the order of third reading.

Mr. Shaw moved to discharge the committee of the whole from the further consideration of Senate bill No. 191, entitled

A bill to amend section 1 of an act entitled "An act to confirm the record of letters of attorney in certain cases," approved April 17, 1871, being section 4256 of the compiled laws of 1871;

Which motion prevailed.

On motion of Mr. Shaw,

The bill was recommitted to the committee on judiciary.

Mr. J. Walker offered the following:

*Resolved* (the Senate concurring), That the President of the Agricultural College shall, on the first of February in each year, make his annual report to the President of the State Board of Agriculture, of all their experiments in agriculture, horticulture, and fattening of stock; also in composting manures, and their application to various soils, and such other experiments as will be for the interest of the people of this State;

Which was adopted.

Mr. Gilmore moved to take from the table House bill No. 280, entitled

A bill to bar the right of dower of insane, imbecile, or idiotic married women;

Which motion prevailed.

On motion of Mr. Gilmore,

The bill was placed on the order of third reading.

Mr. Gilmore moved to discharge the committee on State affairs from the further consideration of House joint resolution No. 14, entitled

Joint resolution providing an amendment to section 3 of article 4 of the Constitution of the State, relative to the House of Representatives and the mode of electing members thereto,

And that the same be made the special order for to-morrow evening.

Mr. Shaw moved to amend by making the time Thursday evening next;

Which was agreed to.

The motion, as amended, then prevailed.

Mr. Buell moved to reconsider the vote by which the House made the joint resolution the special order ;

Which motion prevailed.

The motion to make the joint resolution the special order for Thursday evening did not then prevail.

On motion of Mr. Rose,

House bill No. 360, entitled

A bill to provide for the assessment and taxation of lands known as railroad lands,

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

Mr. Rose moved to reconsider the vote by which the House passed the bill.

On motion of Mr. Rose,

The motion to reconsider was laid on the table.

Mr. Edwards moved that the committee on municipal corporations be directed to report back to this House at once House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit ;

Which motion prevailed.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit,

Respectfully report the same back to the House in accordance with its order.

JOHN L. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

Mr. Caplis moved that the bill be placed on the order of third reading ;

Which motion did not prevail.

The bill was then referred to the committee of the whole and placed on the general order.

Mr. Hoyt moved to take from the table House bill No. 98, entitled

A bill to amend sections 4, 7, and 9 of "An act entitled an act to provide for County Superintendents of Schools, and to amend section 91 and repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78 of compiled laws," approved March 13th, 1867, and being sections 3759, 3762, and 3764 of the compiled laws of 1871 ;

Which motion prevailed.

On motion of Mr. Hoyt,

The bill was recommitted to the committee on education, with instructions to amend the same by inserting in line 35 of section 9, after the word "first," the words "second and third," and report forthwith.

On motion of Mr. Greusel,

House bill No. 241, entitled

A bill to amend section 1 of an act to prevent the adulteration of coal oil, being section 7731, chapter 250 of the compiled laws of 1871 ;

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

The select committee on local bills reported as follows :

The select committee on local bills have had under consideration House bill No. 378, entitled

A bill relating to jail records and reports,

And respectfully recommend that the bill be taken from the general order, and placed on the order of third reading.

J. K. LOCKWOOD, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Priest,

The report was adopted, and the bill was placed on the order of third reading.

Mr. Curtis moved to reconsider the vote by which the House refused to pass House manuscript bill entitled

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the protection of fish in any or all the lakes or streams in Branch county ;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Welker,

The bill was recommitted to the committee on fisheries.

Mr. Bartholomew moved to discharge the committee of the whole from the further consideration of House bill No. 343, entitled

A bill to amend "An act to revise the charter of the city of Lansing," approved February 3, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21 of title 3, section 7 of title 4, section 11 of title 5, and section 17 of title 6, of an act entitled 'An act to revise the charter of the city of Lansing,'" approved February 3, 1869, approved March 21, 1871 ;

Which motion prevailed.

On motion of Mr. Bartholomew,

The bill was placed on the order of third reading.

Mr. Grant moved to take from the table Senate joint resolution No. 4, entitled

Joint resolution proposing an amendment to section 1, article 9 of the constitution of the State relative to salaries ;

Which motion prevailed.

On motion of Mr. Grant,

The bill was placed on the order of third reading.

Mr. Shaw moved that Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for the revision of the Constitution of the State of Michigan,

Be made the special order for Thursday evening next.

Which motion did not prevail.

The committee on engrossment and enrollment reported as follows :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills :

1. House bill No. 216, entitled

A bill to amend sections 35 and 37, chapter 215, relative to certain liens upon personal property, being sections 6823 and 6825 of the compiled laws of 1871 ;

2. House bill No. 176, entitled

A bill to amend section 68 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1034 of the compiled laws of 1871 ;

3. House bill No. 78, entitled

A bill to amend section 7 of chapter 169, it being section 4725 of the compiled laws of 1871, relative to marriage and the solemnization thereof ;

4. House bill No. 179, entitled

A bill to amend section 5 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being section 2076 of the compiled laws of 1871 ;

5. House bill No. 105, entitled

A bill to provide for recording certain evidence concerning titles to land ;

6. House bill No. 220, entitled

A bill to provide for the appraisal and sale of the balance of section 16, in town 2 north, of range 3 west, in the county of Eaton ;

7. House bill No. 201, entitled

A bill to provide for appeals to the Supreme Court in certain cases ;

8. House bill No. 159, entitled

A bill to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties ; and to repeal chapter 97 of the compiled laws of 1871, and also

act No. 94 of the session laws of 1871, approved April 12, 1871.

C. D. LUCE, *Acting Chairman.*

Report accepted.

GENERAL ORDER.

On motion of Mr. Buell,

The House went into committee of the whole on the general order,

Mr. Hoyt in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled bill :

1. House bill No. 375, entitled

A bill regulating freights on railroads ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

2. Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein. Your committee also recommend that the House reconsider the vote by which a certain *proviso* relative to rates of freight on pig iron and iron ore was adopted, on the recommendation of the committee on railroads.

The committee of the whole have also had under consideration the following entitled bill :

3. House bill No. 248, entitled

A bill to amend section 10 of chapter 75, being section 2414

of the compiled laws of 1871, relative to the incorporation of railroad companies,

And have directed their chairman to report the same back to the House, with the recommendation that it be indefinitely postponed.

The committee of the whole have also had under consideration the following entitled bill :

4. House bill No. 339, entitled

A bill to authorize the acceptance of trust making the State trustee for insane persons and to provide for the execution of such trusts ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

5. House bill 342, entitled

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2441, chapter 75 of the compiled laws of 1871 ;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bill :

6. House bill No. 344, entitled

A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to the "Manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22 ;

And have directed their chairman to report the same back



to the House with the recommendation that it be referred to the committee on religious and benevolent societies.

J. P. HOYT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Grant,

The House concurred in the amendments made to the first named bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Grant,

The House concurred in the amendment made to the second named bill by the committee.

On motion of Mr. Breitung,

The House reconsidered the vote by which it had concurred in an amendment made to the bill by the committee on railroads, as recommended by the committee of the whole.

The question being on concurring in the amendment,

The same was not concurred in.

The bill was then placed on the order of third reading.

On motion of Mr. Rose,

The third named bill was laid on the table.

The fourth named bill was placed on the order of third reading.

On motion of Mr. Haire,

The House concurred in the action of the committee, relative to the fifth named bill, and the title was laid on the table.

On motion of Mr. Bottomley,

The House concurred in the recommendation of the committee, relative to the last named bill, and it was referred to the committee on religious and benevolent societies.

Mr. Caplis moved that the House adjourn ;

Which motion did not prevail.

On motion of Mr. Gilmore,

The House took a recess until 7½ o'clock this evening.

## EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House took up the order of

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, April 12, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 241, entitled

A bill to amend section 31 of an act entitled "An act to incorporate the village of Coopersville," being act No. 208 of the session laws of 1871, approved March 4, 1871 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, April 12, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill, entitled

A bill to amend section 1 of act number 489 of the session laws of 1871, entitled " An act to lay out and establish a State road in the counties of Midland and Gladwin, and to appro-

priate certain non-resident highway taxes for the construction of the same ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

On motion of Mr. Ripley,

The order of

#### THIRD READING OF BILLS

Was passed over for the evening,

#### GENERAL ORDER.

On motion of Mr. Perry,

The House went into committee of the whole on the general order,

Mr. Buell in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled joint resolution :

House joint resolution No. 27, entitled

Joint resolution providing for the preparation of an index to the Senate and House bills now on file in the State library ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have had under consideration the following entitled bills :

1. Senate bill No. 147, entitled

A bill to amend an act entitled "An act to provide for the draining of swamps, marshes, and other low lands," approved

March 22, 1869, by adding two new sections thereto, to be known as sections 34 and 35.

2. House bill No. 345, entitled

A bill to amend section 19 of chapter 69, being section 2152 of the compiled laws of 1871, being section 19 of an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage," approved February 3d, 1855 ;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

3. House bill No. 304, entitled

A bill to amend 4776 of the compiled laws of 1871, being section 1 of chapter 171 ;

4. House bill No. 140, entitled

A bill to repeal section 13 of an act entitled "An act for the relief of school districts," approved February 7, 1855, being section 3725 of chapter 136, of the compiled laws of 1871 ;

5. House bill No. 353, entitled

A bill establishing a State agency for the care of juvenile offenders and discharged convicts ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill :

6. House bill No. 352, entitled

A bill to compel railroads to connect on equitable terms ;

And have directed their chairman to report the same back to the House, with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following entitled bills :

7. Senate bill No. 179, entitled

A bill to amend section 15 of act No. 175 of the laws of 1851, entitled "An act to provide for holding general and special elections," approved June 27, 1851, being section 46 of the compiled laws of 1871 ;

8. House bill No. 347, entitled

A bill to provide a system of taxation upon persons or corporations engaged in the manufacture or sale of spirituous or intoxicating liquors ;

9. House bill No. 348, entitled

A bill for the repeal of chapter 69 and the acts supplemental thereto and amendatory thereof, being an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage ;"

10. House bill No. 351, entitled ,

A bill to provide for the preparation and compilation of a convenient index to all the local and personal laws and joint and concurrent resolutions of this State ;

11. House bill No. 311, entitled

A bill to amend section 106 of chapter 10 of the compiled laws of 1871, entitled "An act prescribing the duties of county officers and regulating the pay thereof ;"

12. House bill No. 308, entitled

A bill to prohibit railroads from doing business on the first day of the week ;

13. House bill No. 298, entitled

A bill to grant twenty-five thousand acres of swamp land to the Detroit Medical college ;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

JOHN L. BUELL, *Chairman.*

Report accepted and committee discharged.

The joint resolution and the first and second named bills were placed on the order of third reading.

On motion of Mr. Bonine,

The House concurred in the amendments made to the third, fourth, and fifth named bills by the committee, and they were placed on the order of third reading.

On motion of Mr. Cady,

The House concurred in the recommendation of the committee, relative to the sixth named bill, and it was laid on the table.

Mr. Bottomley moved that the House concur in the action of the committee relative to the seventh named bill.

- Mr. Ferguson demanded the yeas and nays.

The demand was not seconded.

On motion of Mr. Ripley,

The bill was laid on the table.

On motion of Mr. West,

The House concurred in the action of the committee, relative to the six last named bills, by the committee, and their several titles were laid on the table.

Mr. Chamberlain moved that the rules be suspended, and that the fifth named bill be placed on its immediate passage ;

Pending which,

The Sergeant-at-Arms announced Mr. Eggleston at the bar of the House, in accordance with its order.

On motion of Mr. Caplis,

Mr. Eggleston was admitted within the bar, rendered an excuse and took his seat.

Mr. Shaw asked and obtained leave of absence until to-morrow evening.

On motion of Mr. Buell,

The House adjourned.

*Lansing, Tuesday, April 15, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Representative Welker.

Roll called: quorum present.

Absent without leave: Messrs. Haire and Kellogg.

Mr. Chafey asked and obtained leave of absence for the day.

Mr. Bartholomew asked and obtained leave of absence for Mr. Haire indefinitely, on account of sickness.

Mr. R. C. Miller asked and obtained leave of absence for Mr. Kellogg for the day.

REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred Senate bill No. 241, entitled

A bill to amend section 31 of an act entitled "An act to incorporate the village of Coopersville," being act No. 208 of the session laws of 1871, approved March 4, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JNO. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 14th, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Eggleston,

The bill was placed on the order of third reading.

By the committee on religious and benevolent societies :

The committee on religious and benevolent societies, to whom was referred House bill No. 344, entitled

A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to "the manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. C. Miller,



The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Welker,

The bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 338, entitled

A bill to incorporate the village of L'Anse, in the county of Houghton;

2. House bill, substitute for No. 316, entitled

A bill to amend an act entitled "An act to incorporate the city of East Saginaw," approved February 15, 1859, as amended by act No. 56 of the session laws of 1861, and act No. 79 of the session laws of 1865, approved March 1, 1865; and act No. 391 of the session laws of 1867, approved March 27, 1867; and act No. 284 of the session laws of 1869, approved March 16, 1869; and act No. 262 of the session laws of 1871, approved April 12, 1871; and act No. 38 of the session laws of 1872, approved March 29, 1872;

3. House bill No. 200, entitled

A bill to amend sections 3 and 4 of an act entitled "An act to provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes," being act No. 455 of the session laws of 1871;

4. House bill No. 181, entitled

A bill to provide for the collection of statistical information of the insane, deaf, dumb, and blind in this State, and to repeal a joint resolution relative to statistical information of the insane, deaf, dumb, and blind, approved April 3, 1848, being section 1883, chapter 52, compiled laws of 1871;

5. House bill No. 101, entitled,

A bill to amend section 1 of chapter 39 of revised stat-

utes of 1846, being section 1960, chapter 53 of the compiled laws of 1871, relative to disorderly persons ;

6. House bill No. 126, entitled

A bill to amend section 3 of an act entitled "An act to incorporate the union school district of the city of Owosso," approved March 22, 1871.

C. D. LUCE, *Acting Chairman.*

Report accepted.

By the committee on State affairs :

The committee on State affairs, to whom was referred House bill No. 332, entitled,

A bill to amend sections 2, 3, 4, 5, 6, 7, 8, and 9 of chapter 24 of the compiled laws of 1871, relating to the assessment of highway taxes.

The bill provides that the supervisor or assessor make lists of persons liable to be assessed for highway work in each district, instead of the overseer of the district. The committee think the overseers would be more likely to make correct lists. It also provides that the supervisor assess the highway labor instead of the highway commissioner. The committee cannot see that the change would be any improvement. It also provides that the supervisor make duplicates of the lists of the persons assessed for highway labor, instead of the township clerk. The committee can see no advantage in such change.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Perry,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred House bill No. 232, entitled

A bill to amend section 6, chapter 24, being section 1221 of compiled laws of 1871, relative to persons liable to work on highways, and making assessments therefor;

Also,

House bill No. 231, entitled

A bill to "amend sections 15, 16, 17, 22, and 23, chapter 25, being sections 1240, 1241, 1242, 1247, and 1248, of the compiled laws of 1871, relative to the duties of overseers in regard to the performance of labor on highways; the performance of such labor, or the commutation therefor, and application of moneys by the commissioners,"

Respectfully report that they have had the same under consideration.

These bills are on the same subject, and parts of the same proposed change, which is that the supervisor shall spread upon the general tax roll the amount of the highway labor assessment to each individual.

That the overseer of highways shall on or before the first Monday of November, in each year, deliver, if required, to each person in his district assessed for highway labor other than for poll tax, a receipt for all labor performed or commuted by such person, which receipt shall be receivable for highway taxes by the township treasurer, at the value therein expressed.

The committee believe the law is well enough as it is. The evils sought to be remedied by the proposed change, result from want of care and thoroughness in the execution of it. While by the proposed change those evils would be likely to be averted to some extent, the committee are of the opinion that other and probably greater evils would result from the change.

The committee have directed me to report the bills back to the House, without amendment, and recommend that they do not pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Aken,

The two named bills were laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill granting certain privileges to the Ontonagon boom company,

Respectfully report that they have had the same under consideration. The bill describes the "Ontonagon boom company" as "a corporation formed under an act approved February 4, 1864, entitled an act to authorize the formation of corporations for the running, booming, and rafting of logs," being chapter 88 of the compiled laws of 1871, and proposes to grant to said company "the *exclusive* privilege of booming and carrying on the business of driving, booming, rafting, and running logs, timber, lumber, and other floating material, or either of them as they may determine, on the stream known as the Ontonagon river, and its several branches and streams tributary thereto," "situated in the Upper Peninsula of this State."

Chapter 88, section 1 compiled laws 922, provides that any number of persons not less than five may associate and constitute themselves a corporation, "for the purpose of engaging in, and carrying on the business of running, driving, booming, and rafting logs, timber, lumber, and other floatables, *on any of the streams or waters* within this State."

Section 3 provides that the articles of association of such booming company shall state, among other things, "the stream or streams upon which their business is to be carried on."

Section 14 provides that every such corporation may acquire and hold all necessary lands not exceeding 5,000 acres. That they may construct and maintain booms in any of the navigable waters of this State named in their articles of association, having first obtained permission of the owner or owners of the shores along or in front of which the booms are to be built; the booms to be so constructed as to allow the free passage of boats, logs, and all floatables. That they may "carry on the

business of driving, booming, rafting, and running logs, timber, lumber, or other floatables," and may charge a reasonable compensation.

It will be seen that there is no limitation to the number of booming companies that may be formed under this law. It is provided "that no two companies shall assume the same name."

Sec. 1. But there is nothing to prevent two or twenty companies carrying on their business in the same place on the same stream or streams.

The law recognizes no monopoly. It authorizes none. It does everything that law can do to preclude monopoly, unless it be to impose penalties. See also the law relating to "the floating of logs."—*Com. Laws, p. 546.*

The bill under consideration does not propose to amend or alter the new chapter 88, and if passed would not change the effect of that law. It would still stand on the statute book, authorizing the unlimited formation of booming companies, with no restriction as to their place of operating, except such as they might voluntarily assume.

This general booming law, chapter 88, was passed in pursuance of section 1 of article 15 of the constitution. "Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes."

Previous to 1850, corporations were created by special act, and many of them were made monopolies by special provisions in the acts creating them. And the very fact that a corporation could be secured only by special legislative action, gave to those who succeeded in getting such action practically a monopoly to a great extent.

This was regarded by the people of the State as one of the great evils which made the constitutional convention of 1850 necessary. To remedy this evil, section 1 of article 15 was put into the constitution. The object was to protect the inhabitants of the State against the abuses, the inequalities, and injustice of monopolies by securing to all equally the right to form themselves into corporations for car-

rying on, in any part of the State, on any land or any of the waters of the State, any and all kinds of business which the Legislature might determine to be proper to be carried on by corporations; and to guarantee to all corporations of the same general class, precisely similar corporate rights.

Now, this bill proposes to make the "Ontonagon Boom Company," which was formed under the general booming law, a monopoly. It proposes to give them *exclusive* rights, privileges, and franchises. What it gives, of an exclusive character, to this company, it must necessarily take from others. It takes from any and all other boom companies which may have been incorporated for the purpose of carrying on business on the Ontonagon river and its tributaries, the right to carry on any such business. It takes from all the people of the State, not the right to incorporate themselves into boom companies for the purpose of carrying on their business on those waters, but the right to do any part of the business for which they may become incorporated.

To do this, the committee believe to be far beyond the power of the Legislature, if the constitution is to be regarded as still in force.

We might with equal propriety, so far as principal is concerned, grant to some navigation company incorporated under the general law for that purpose, the exclusive right to navigate the straits of Mackinaw, or to come nearer home, we might as well grant to Mr. Marks the exclusive right to run hacks and other vehicles for carrying passengers and their baggage between the Lansing House and the railroad depot.

The committee have directed me to report the bill back to the House with a recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Harris,

The bill was referred to the committee on lumber and salt interest.

By the committee on State affairs:

The committee on State affairs to whom was referred Senate bill No. 208, entitled

A bill to prevent accidents while crossing on the ice on Spring Lake, in the counties of Ottawa and Muskegon,

Respectfully report that they have had the same under consideration. The bill requires any person removing ice from the lake to place a fence four feet high around the place from which the ice is removed, under a penalty for neglecting to do it of a fine not to exceed \$100, or imprisonment in the county jail sixty days, and liability for all damages. It is a local measure affecting Ottawa and Muskegon counties only. The Representatives from those counties must be supposed to be better able to judge of it than others. The committee have directed me to report the same back to the House, without amendment, and recommend that it be referred to the members from Ottawa and Muskegon counties, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the recommendation of the committee and the bill was referred accordingly.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 153, entitled

A bill to amend sections 1, 2, and 3 of an act entitled "An act to provide for an appeal from the board of school inspectors of any school district to the township board," approved April 5, 1869, being sections 3734, 3735, and 3736, of the compiled laws of 1871, with certain instructions,

Respectfully report that they have amended the bill in accordance with their instructions, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in,

and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Perry,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Warren,

The bill was placed on the order of third reading.

#### REPORTS OF SELECT COMMITTEES.

By the committee of conference on Senate bill No. 6 :

The special committee, to whom was referred the matter of disagreement between the Senate and House of Representatives upon the amendments made in the House to Senate bill No. 6, entitled

A bill in relation to challenges of jurors in criminal cases ;

The said amendments being as follows :

By striking out the word "an" at the beginning of line two and inserting "a partial."

Respectfully report that they met with a like committee on the part of the Senate, and the joint committee had the subject under consideration and agreed upon the following which this committee recommends be concurred in by the House :

1st. That the House recede from its amendment to the bill and that the bill be amended by inserting after the word "impression" in second line the words "not positive in its character," and after the word "impression" in fourth line, the words "not being positive in its character or."

JNO. J. SPEED, *Chairman*.

Report accepted and committee discharged.

Mr. Priest moved that the House concur in and adopt the report of the committee ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Bartholomew,

Mr. Green,  
Haywood,

Mr. Rich,  
Ripley,



Mr. Bonine,	Mr. Hewitt,	Mr. Robinson,
Bottomley,	Hoar,	Robertson,
Breitung,	Hosner,	Rose,
Briggs,	Howard,	Sanderson,
Brunson,	Hoyt,	Speed,
Burns,	Kipp,	Striker,
Cady,	Lamb,	Thompson,
Carter,	Lewis,	Van Aken,
Chafey,	Lockwood,	Van Scoy,
Chamberlain,	Luce,	A. Walker,
Climie,	Markey,	B. Walker,
Curtis,	E. R. Miller,	J. Walker,
Dinturff,	R. O. Miller,	Warren,
Drake,	Mitchell,	C. W. Watkins,
Drew,	Morse,	Welch,
Eggleston,	O'Dell,	Welker,
Ferguson,	Parsons,	West,
Fey,	Perry,	Wheeler,
Garvelink,	Pierce,	Wixson,
Goodrich,	Priest,	Zimmerman,
Gordon,	Remer,	

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## NAYS.

Mr. Gilmore,	Mr. Smith,	Speaker,
Greusel,	Walton,	5

By the committee on conference on House bill No. 167:

The committee of conference on the part of the House on the disagreeing vote of the two Houses on the Senate substitute for House bill No. 167, entitled

"A bill to amend section 8, of an act entitled 'An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175, and to authorize the salary of judges of probate,' approved February 15, 1859, being section 7439 of the compiled laws of 1871,"

Respectfully report that they have met the conferees on the part of the Senate, and, after free and full conference upon the subject of said disagreeing votes, the joint conferees have unanimously agreed to recommend, and do recommend, to the respective Houses, as follows:

That the Senate and House of Representatives respectively recede from their disagreements to Senate substitute for House

bill No. 167, and mutually agree to substitute therefor the following bill, which is simply an amendment to Senate substitute.

J. K. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

Mr. Bonine moved that the House concur in, and adopt the report of the committee;

Which motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Sessions,
Bonine,	Haywood,	Simpson,
Breitung,	Hewitt,	Smith,
Brunson,	Hosner,	Speed,
Buell,	Kipp,	Thompson,
Burns,	Lamb,	Van Scoy,
Cady,	Lewis,	A. Walker,
Caplis,	Lockwood,	B. Walker,
Chafey,	R. C. Miller,	L. Walker,
Chamberlain,	Mitchell,	Walton,
Olimie,	Morse,	Warren,
Cobb,	O'Dell,	C. W. Watkins,
Curtis,	Parsons,	Welch,
Dinturff,	Perry,	Welker,
Fancher,	Pierce,	West,
Ferguson,	Remer,	Wheeler,
Fey,	Robinson,	Withington,
Garvelink,	Robertson,	Wixson,
Gordon,	Rose,	Zimmerman,
Grant,	Sanderson,	Speaker,
Greusel,		

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#### NAYS

Mr. Briggs,	Mr. Green,	Mr. Priest,
Carter,	Howard,	Rich,
Drew,	Hoyt,	Striker,
Edwards,	Luce,	Van Aken,
Gilmore,	Markey,	J. Walker,
Goodrich,		

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By the special committee on local bills :

The committee on local bills have had under consideration House bill No. 372, entitled

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act number 304 of the session laws of 1869, approved April 2, 1869 ;

Also,

House bill No. 373, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, and appropriating certain non-resident highway taxes therefor ;

Also,

House bill No. 374, entitled

A bill for the laying out, establishing, and constructing a State road in the county of Oscoda, and appropriate certain non-resident taxes to construct the same,

And respectfully recommend that the bills be taken from the general order and placed on the order of third reading of bills.

J. K. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the recommendation of the committee and the bills were placed on the order of third reading

By the special committee on House bill No. 218 :

The special committee to whom was referred House bill No. 218, entitled

A bill to amend section 11 of chapter 150 of the revised statutes of 1846, as amended by act 134 of the session laws of 1867, entitled "An act to amend sections 11 and 13 of chapter 150 of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws," approved March 27, 1867, said section being section 7443 of the compiled laws of 1871, relative to the fees of sheriffs,

With instructions to so amend the bill that it shall amend the present law only in the item of the *per diem* of the sheriff

of Wayne county; respectfully report that they have compared it with the present law, and have amended the bill by striking out all changes in the present law except as to *per diem* of sheriff of Wayne county, which is fixed at \$3.50 per day when attending court by order of the court.

J. J. SPEED, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Van Scoy,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Speed,

The bill was placed on the order of third reading.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, April 14, 1873. }

*To the House of Representatives:*

In accordance with a request of the House, I herewith return House bill No. 185, entitled

A bill to amend section 1 of an act entitled "An act to create a soldiers' aid fund for disabled Michigan soldiers, sailors, and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States," the same being section 960, chapter 20, of the compiled laws of 1871.

JOHN J. BAGLEY.

Mr. Grant moved that the rule limiting the time in which a reconsideration may be had, be suspended;

Which motion prevailed.

Mr. Grant moved to reconsider the vote by which the House concurred in the amendments made to the bill by the Senate;

Which motion prevailed.

The question being on concurring in the amendments made to the bill by the Senate;

The motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Eggleston,	Mr. Lewis,	Mr. Speed,
Fancher,	R. C. Miller,	Van Aken,
Ferguson,	Rose,	Van Scoy,
Fey,	Sessions,	J. Walker,
Garvelink,	Simpson,	Welker,
Kellogg,		

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## NAYS.

Mr. Ackley,	Mr. Grant,	Mr. Priest,
Bartholomew,	Green,	Remer,
Bonine,	Greusel,	Rich,
Bottomley,	Hewitt,	Ripley,
Breitung,	Hoar,	Robertson,
Briggs,	Hosner,	Sanderson,
Brunson,	Howard,	Smith,
Burns,	Hoyt,	Striker,
Caplis,	Kipp,	Thompson,
Cartar,	Lamb,	A. Walker,
Chafey,	Lockwood,	B. Walker,
Chamberlain,	Luce,	L. Walker,
Cobb,	Markey,	Walton,
Curtis,	Morse,	Warren,
Dinturff,	O'Dell,	West,
Edwards,	Parsons,	Withington,
Goodrich,	Perry,	Zimmerman,
Gordon,	Pierce,	Speaker,

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## THIRD READING OF BILLS.

House bill 302, entitled

A bill to provide for the construction of a State road in the county of Mecosta, to be called and known as the "Millbrook and Altona State road,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Priest,
Bartholomew,	Green,	Remer,
Bottomley,	Haywood,	Rich,
Breitung,	Hoar,	Robertson,
Brunson,	Hosner,	Rose,
Buell,	Howard,	Simpson,
Burns,	Hoyt,	Smith,
Cady,	Kellogg,	Speed,

Mr. Caplia, Climie, Cobb, Curtis, Edwards, Eggleston, Ferguson, Fey, Goodrich,	Mr. Kipp, Lamb, Lewis, Lockwood, Markey, R. C. Miller, Morse, Parsons, Perry,	Mr. Striker, Van Aken, Van Scoy, Warren, Welch, Welker, West, Wheeler, Wixson,	51
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## NAYS.

Mr. Bailey, Bonine, Briggs, Carter, Chafey, Chamberlain, Dinturff, Drake, Drew, Fancher,	Mr. Garvelink, Gilmore, Grant, Greusel, Hewitt, Luce, E. R. Miller, O'Dell, Pierce, Sanderson,	Mr. Sessions, Thomas, Thompson, A. Walker, B. Walker, J. Walker, L. Walker, Walton, Withington,	29
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Title agreed to.

House bill No. 124, entitled

A bill for the incorporation of villages,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Gilmore moved to amend the bill as follows:

1. By striking out the word "incorporation" in line 2 of section 16 of chapter 1, and inserting in lieu thereof the word "re-incorporation ;"

2. By striking out the word "entered" in line 2 of section 5 of chapter 4, and inserting in lieu thereof the word "enter ;"

3. By striking out the word "of" in line 9 of section 5 of chapter 4, and inserting in lieu thereof the word "in ;"

4. By striking out the word "leaving," in line 9 of section 9 of chapter 6, and inserting in lieu thereof the word "having ;"

5. By inserting after the word "estimates," in line 4 of section 19 of chapter 6, the word "required ;"

6. By striking out the word "constables," in line 1 of section 23 of chapter 6, and inserting in lieu thereof the word "constable;"

7. By striking out the word "city," in line 1 of section 9 of chapter 7, and inserting in lieu thereof the word "village;"

All of which amendments were agreed to.

Mr. Grant moved to amend section 1, chapter 26, by inserting in line 2, after "seal," the word "people," and at the end of said line, the words "the aggregate amount of all the ;"

Which was agreed to.

Mr. L. Walker moved to strike out all of section 16, chapter 4, after the word "services," in line 2 ;

Which was agreed to.

Mr. L. Walker moved to amend the bill by striking out all of section 20, chapter 7, after the word "village," in line 1.

Mr. Speed moved to amend the amendment by amending section 20 by striking out the word "but," in line 1, and inserting in lieu thereof the words "the common council may require by ordinance that;"

Which was not agreed to.

The motion to amend did not then prevail.

Mr. L. Walker moved to amend the bill by striking out in line 4, section 1, chapter 16, after the word "village," all up to and including the word "same," in line 6 ;

Which was agreed to.

On motion of Mr. Hoyt,

The bill was amended by striking out all of the supplement commencing with page 88.

Mr. L. Walker moved to strike out all of chapter 24,

Pending which,

On motion of Mr. Buell,

The bill was amended by striking out the words "fee of," in line 1 of section 20, page 74, and insert in lieu thereof "the right to use."

On motion of Mr. Speed,

The bill was amended by inserting in line 6, section 1, after

the word cemeteries, "and the common council are authorized to treat with any person or persons having interest in the land, for such grounds or premises, and if such person or persons shall refuse to treat for the same, or if the parties cannot agree, proceedings may be taken as provided in the act for condemnation of the same: *Provided*, That if the person or persons are non-residents, it shall not be necessary to so treat, or agree."

The motion to strike out chapter 24, did not then prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Remer,
Bailey,	Gordon,	Rich,
Bartholomew,	Grant,	Robinson,
Bonine,	Green,	Robertson,
Bottomley,	Greusel,	Rose,
Brieting,	Harris,	Sessions,
Briggs,	Haywood,	Simpson,
Brunson,	Hewitt,	Smith,
Buell,	Hoar,	Speed,
Burns,	Hosner,	Striker,
Cady,	Howard,	Thomas,
Caplis,	Hoyt,	Thompson,
Carter,	Kellogg,	Van Aken,
Chamberlain,	Harris,	Van Scoy,
Climie,	Lamb,	B. Walker,
Cobb,	Lewis,	J. Walker,
Curtis,	Markey,	Walton,
Dinturff,	E. R. Miller,	Welch,
Drake,	R. C. Miller,	Welker,
Edwards,	Mitchell,	West,
Eggleston,	Morse,	Wheeler,
Fanoher,	O'Dell,	Withington,
Ferguson,	Parsons,	Wixson,
Fey,	Perry,	Zimmerman,
Garvelink,	Pierce,	Speaker,
Gilmore,	Priest,	

77

## NAYS.

Mr. Drew,	Mr. Sanderson,	Mr. L. Walker,
Lockwood,	A. Walker,	C. W. Watkins,
Luce,		

7

Title agreed to.



On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 375, entitled

A bill regulating freights on railroads,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fancher moved to amend the bill by striking out, in line 14, section 3, the words, "a fair and reasonable rate," and inserting the words, "is now or may hereafter be prescribed by law ;"

Which motion did not prevail.

Mr. C. W. Watkins moved to amend the bill by inserting in line 14, section 3, after the word "property," the following : "than the Michigan Central Railroad Company is by its charter authorized to charge : *Provided*, That such railroad company shall not be entitled to charge and collect in addition to their uniform rates per mile, for a distance not exceeding fifteen miles, fifty per cent; for a distance not exceeding twenty-five miles, twenty per cent; and for a distance not exceeding fifty miles, not exceeding ten per cent ;"

Which motion did not prevail.

On motion of Mr. Eggleston,

The bill was amended by striking out in line 4, section 3, the words "the same or" where they occur after the word "distance."

Mr. C. W. Watkins moved to recommit the bill to the committee on railroads, with instructions to amend the bill by inserting in line 14, section 3, after the word "property" the following : "than the Michigan Central railroad is by its charter authorized to charge ; *Provided*, that such railroad company shall not be entitled to charge and collect in addition to their uniform rates per mile for a distance not exceeding fifteen miles fifty per cent, for a distance not exceeding twenty-five miles, twenty-five per cent, and for a distance not exceeding fifty, not exceeding ten per cent."

Mr. Buell moved to amend the instructions by adding thereto the following: "and to make such other amendments to the bill as the committee may deem expedient ;"

Which was agreed to.

The motion to recommit with instructions then prevailed.

Mr. Fey moved that the House take a recess until 2 o'clock this afternoon ;

Which motion did not prevail.

Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Hoyt,

The bill was recommitted to the committee on railroads.

House manuscript bill, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 20, 1850; as amended by the several acts amendatory thereof, approved March 14, A. D. 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,

Bailey,

Bartholomew,

Bonine,

Breitung,

Brunson,

Buell,

Burns,

Cady,

Caplis,

Chamberlain,

Climie,

Cobb,

Dinturff,

Drew,

Mr. Grant,

Green,

Greusel,

Harris,

Haywood,

Hewitt,

Hoar,

Hosner,

Howard,

Hoyt,

Kellogg,

Kipp,

Lamb,

Lockwood,

Markey,

Mr. Rich,

Robinson,

Rose,

Sessions,

Simpson,

Smith,

Speed,

Striker,

Thomas,

Thompson,

Van Scoy,

A. Walker

B. Walker,

J. Walker,

L. Walker,

Mr. Edwards,	Mr. E. R. Miller,	Mr. Walton,
Eggleston,	R. O. Miller,	O. W. Watkins,
Fancher,	Mitchell,	Welch,
Ferguson,	O'Dell,	Welker,
Fey,	Parsons,	West,
Garvelink,	Perry,	Wheeler,
Gilmore,	Pierce,	Wixson,
Goodrich,	Priest,	Zimmerman,
Gordon,	Remer,	Speaker, 72

## NAYS.

Mr. Curtis,	Mr. Ripley,	2
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Title agreed to.

On motion of Mr. Eggleston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 229, entitled

A bill to legalize and facilitate the collection of taxes,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Thomas moved that the House take a recess until 2 o'clock this afternoon;

Which motion did not prevail.

Mr. Speed moved to amend the bill by striking out all of section 2;

Pending which,

Mr. Rose moved to amend section 2 by inserting in line 2, after the word "inserting," where it occurs a second time, by the words, "*Provided*, The provisions of this section shall not apply to any failures or omission to assess real property that is subject to taxation;

Which motion did not prevail.

The motion to strike out section 2 did not then prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Priest,
Bailey,	Gordon,	Remer,

Mr. Bonine,	Mr. Grant,	Mr. Ripley,
Briggs,	Green,	Robinson,
Brunson,	Greusel,	Robertson,
Oady,	Hosner,	Striker,
Caplis,	Hoyt,	Van Aken,
Cobb,	Kallogg,	Walton,
Curtis,	Kipp,	Welker,
Drake,	Markey,	Withington,
Fancher,	R. O. Miller,	Wixson,
Ferguson,	Mitchell,	Zimmerman,
Garvelink,	Parsons,	Speaker, 39

## NAYS.

Mr. Bartholomew,	Mr. Hewitt,	Mr. Simpson,
Bottomley,	Hoar,	Smith,
Breitung,	Howard,	Speed,
Buell,	Lamb,	Thomas,
Burns,	Lewis,	Thompson,
Carter,	Lockwood,	Van Scoy,
Climie,	Luce,	A. Walker,
Dinturff,	E. R. Miller,	B. Walker,
Drew,	Morse,	J. Walker,
Edwards,	O'Dell,	L. Walker,
Eggleston,	Perry,	C. W. Watkins,
Fey,	Pierce,	Welch,
Goodrich,	Rich,	West,
Harris,	Rose,	Wheeler,
Haywood,	Sessions,	44

On motion of Mr. Gordon,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

Mr. Rich moved to reconsider the vote by which the House passed House manuscript bill, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids,"

approved April 2d, 1850, as amended by the several acts amendatory thereof, approved March 14th, A. D. 1871.

Mr. C. W. Watkins moved to lay the motion to reconsider on the table;

Which motion did not prevail.

The motion to reconsider then prevailed.

The question being on the passage of the bill,

On motion of Mr. Eggleston,

The bill was laid on the table.

The House resumed the order of

### THIRD READING OF BILLS.

Senate bill No. 223, entitled

A bill to amend sections 12 and 13 of an act entitled "An act to incorporate the city of Battle Creek," approved February 8, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

### YEAS.

Mr. Bailey,	Mr. Greusel,	Mr. Rich,
Bartholomew,	Hewitt,	Ripley,
Bonine,	Hoar,	Robinson,
Bottomley,	Hosner,	Rose,
Breitag,	Howard,	Sanderson,
Brunson,	Kellogg,	Sessions,
Burns,	Kipp,	Simpson,
Cady,	Lamb,	Smith,
Caplis,	Lewis,	Speed,
Chamberlain,	Lockwood,	Striker,
Curtis,	Luce,	Thomas,
Dintarff,	Markey,	Van Scoy,
Drake,	E. R. Miller,	A. Walker,
Edwards,	R. C. Miller,	B. Walker,
Fancher,	Mitchell,	Walton,
Fay,	Morse,	Welch,
Garvelink,	O'Dell,	Wheeler,
Goodrich,	Perry,	Wixson,
Grant,	Pierce,	Zimmerman,
Green,	Remer,	Speaker. 60

### NAYS.

Mr. Hoyt,	Mr. Thompson,	Mr. L. Walker,	3
Title agreed to.			

On motion of Mr. Sanderson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 378, entitled

A bill relating to jail records and reports,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Lockwood moved to amend the bill by adding the following at the end of section 2 :

“And file with the county clerk, for the use of the boards of supervisors, a duplicate copy of such report on or before their annual meeting ;”

Which was agreed to.

On motion of Mr. Withington,

The bill was amended by striking out the word “Detroit,” in line 6, section 2, and inserting “Houses” in lieu of “House” in same line.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,
Bailey,	Greusel,	Sanderson,
Bartholomew,	Hewitt,	Scott,
Bonine,	Hoar,	Sessions,
Bottomley,	Howard,	Simpson,
Briggs,	Hoyt,	Smith,
Brunson,	Kellogg,	Speed,
Buell,	Kipp,	Striker,
Burns,	Lamb,	Thomas,
Cady,	Lewis,	Thompson,
Caplis,	Lockwood,	Van Aken,
Carter,	Luce,	Van Scoy,
Chamberlain,	Markey,	A. Walker,
Climie,	E. R. Miller,	B. Walker,
Curtis,	R. C. Miller,	J. Walker,
Dinturff,	Mitchell,	L. Walker,
Drake,	Morse,	Walton,
Edwards,	O'Dell,	C. W. Watkins,
Eggleston,	Parsons,	Welch,
Fancher,	Perry,	Welker,

Mr. Ferguson,	Mr. Pierce,	Mr. Wheeler,	
Fey,	Priest,	Withington,	
Garvelink,	Remer,	Wixson,	
Gilmore,	Rich,	Zimmerman,	
Goodrich,	Ripley,	Speaker,	
Grant,	Robinson,		77
	NAYS.		0

Title agreed to.

On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 79, entitled

A bill making an appropriation of non-resident highway taxes for the Clio and Chesaning State road to aid in the completion of the same, and to repeal act number 399 of the session laws of 1867, approved March 22, 1867, being an act to provide for the laying out and establishing of a State road from Clio, in Genesee county, to Chesaning in Saginaw county, and to appropriate certain non-resident highway taxes to aid in the construction of the same; also, to repeal act number 304 of the session laws of 1871, approved February 14, 1871, being an act to amend section 2 of act number 399 of the session laws of 1867, approved March 22, 1867, entitled "An act to provide for laying out and establishing a State road from Clio, in Genesee county, to Chesaning in Saginaw county, and to appropriate certain non-resident highway taxes to aid in the construction of the same,"

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Parsons,
Bartholomew,	Green,	Perry,
Bottomley,	Harris,	Priest,
Breitung,	Haywood,	Remer,
Brunson,	Hoar,	Rose,
Buell,	Hosner,	Simpson,
Burns,	Hoyt,	Speed,

Mr. Caplis,	Kipp,	Thomas,
Olimia,	Lamb,	Van Aken,
Curtis,	Lewis,	Van Scoy,
Dinturff,	Lockwood,	Welker,
Drake,	Markey,	Wheeler,
Eggleston,	R. C. Miller,	Wixson,
Ferguson,	Morse,	Zimmerman,

## NAYS.

Mr. Bailey,	Mr. Greusel,	Mr. Scott,
Bonine,	Hewitt,	Sessions,
Briggs,	Howard,	Smith,
Carter,	Kellogg,	Striker,
Chamberlain,	Luce,	Thompson,
Cobb,	E. R. Miller,	A. Walker,
Drew,	Mitchell,	B. Walker,
Edwards,	O'Dell,	J. Walker,
Fancher,	Pierce,	L. Walker,
Garvelink,	Rich,	Walton,
Gilmore,	Ripley,	C. W. Watkins,
Goodrich,	Robinson,	Welch,
Grant,	Sanderson,	Withington, 39

## House bill No. 343, entitled

A bill to amend "An act to revise the charter of the city of Lansing," approved February 3, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21 of title 3, section 7 of title 4, section 11 of title 5, and section 17 of title 6, of an act entitled 'An act to revise the charter of the city of Lansing,'" approved February 3, 1869, approved March 21, 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,
Bailey,	Greusel,	Sanderson,
Bartholomew,	Harris,	Scott,
Breitung,	Hewitt,	Sessions,
Briggs,	Hoar,	Simpson,
Brunson,	Hosner,	Smith,
Buell,	Howard,	Speed,
Burns,	Hoyt,	Striker,
Caplis,	Kellogg,	Thomas,
Carter,	Kipp,	Thompson,



Mr. Chamberlain,	Mr. Lamb,	Mr. Van Aken,
Olimie,	Lewis,	Van Scoy,
Cobb,	Lockwood,	A. Walker,
Curtis,	Luce,	B. Walker,
Dinturff,	Markey,	L. Walker,
Draw,	E. B. Miller,	Walton,
Edwards,	R. C. Miller,	C. W. Watkins,
Eggleston,	Mitchell,	Welch,
Fancher,	Morse,	Welker,
Ferguson,	O'Dell,	West,
Garvelink,	Parsons,	Wheeler,
Gilmore,	Priest,	Withington,
Goodrich,	Remer,	Wixson,
Grant,	Rich,	Zimmerman, 72
	NAYS.	0

Title agreed to.

On motion of Mr. Bartholomew,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 4, entitled

Joint resolution proposing an amendment to section 1, article 9 of the constitution of the State relative to salaries,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Ferguson moved to amend the joint resolution by inserting between the words "law" and "but" the words, "which shall not be changed oftener than once in six years;"

Which motion did not prevail.

Mr. Buell moved to reconsider the vote by which the House refused to agree to the amendment;

Which motion prevailed.

The question being on amending the joint resolution,

The motion did not prevail.

Mr. Withington moved to amend the joint resolution by inserting after the word "officers" in line 6, section 1, the words: "The salaries of the judges shall not be diminished during their continuance in office;"

Pending which,

On motion of Mr. C. W. Watkins,

The bill was recommitted to the committee on judiciary.

House bill No. 339, entitled

A bill to authorize the acceptance of trust making the State trustee for insane persons and to provide for the execution of such trusts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Bartholomew,	Green,	Rose,
Bonine,	Greusel,	Sanderson,
Bottomley,	Haywood,	Scott,
Breitung,	Hewitt,	Sessions,
Briggs,	Hosner,	Simpson,
Brunson,	Howard,	Smith,
Buell,	Hoyt,	Speed,
Burns,	Kellogg,	Striker,
Caplis,	Kipp,	Thomas,
Carter,	Lamb,	Thompson,
Climie,	Lewis,	Van Aken,
Cobb,	Lockwood,	Van Scoy,
Curtis,	Luce,	A. Walker,
Dinturff,	Markey,	B. Walker,
Drake,	E. R. Miller,	L. Walker,
Drew,	R. C. Miller,	Walton,
Edwards,	Mitchell,	C. W. Watkins,
Eggleston,	Morse,	Welker,
Fancher,	O'Dell,	West,
Ferguson,	Parsons,	Wheeler,
Fey,	Perry,	Withington,
Garvelink,	Pierce,	Wixson,
Gilmore,	Priest,	Zimmerman,
Goodrich,	Remer,	Speaker,
Gordon,	Rich,	

77

### NAYS.

0

Title agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 353, entitled

A bill establishing a State agency for the care of juvenile offenders and discharged convicts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Aekley,	Mr. Goodrich,	Mr. Ripley,
Bartholomew,	Gordon,	Robinson,
Bonine,	Grant,	Rose,
Bottomley,	Green,	Sanderson,
Breitung,	Greusel,	Scott,
Briggs,	Haywood,	Seassons,
Brunson,	Hewitt,	Simpson,
Buell,	Hoar,	Speed,
Burns,	Hoyt,	Striker,
Caplis,	Kellogg,	Thompson,
Carter,	Kipp,	Van Scoy,
Climie,	Lewis,	A. Walker,
Cobb,	Lockwood,	B. Walker,
Curtis,	Luce,	J. Walker,
Dinturff,	E. R. Miller,	L. Walker,
Drake,	R. O. Miller,	Walton,
Drew,	Mitchell,	C. W. Watkins,
Edwards,	Morse,	Welch,
Eggleston,	O'Dell,	West,
Fancher,	Parsons,	Wheeler,
Ferguson,	Perry,	Withington,
Fey,	Pierce,	Wixson,
Garvelink,	Priest,	Zimmerman,
Gilmore,	Rich,	Speaker, 79

NAYS.

Mr. Lamb,	Mr. Smith,	Mr. Welker,
Markey,	Van Aken,	5

The question being on agreeing to the title,

Mr. Parsons moved to amend the title by striking out the words "and discharged convicts ;"

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 27, entitled

Joint resolution providing for the preparation of an index to the Senate and House bills now on file in the State library,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Bartholomew,	Mr. Green,	Mr. Remer,
Bonine,	Greusel,	Rich,
Bottomley,	Haywood,	Robinson,
Breitung,	Hewitt,	Rose,
Briggs,	Hoar,	Sessions,
Brunson,	Hosner,	Simpson,
Buell,	Howard,	Smith,
Burns,	Hoyt,	Thompson,
Climie,	Kellogg,	Van Scoy,
Cobb,	Kipp,	A. Walker,
Curtis,	Lamb,	B. Walker,
Dinturff,	Lewis,	L. Walker,
Drake,	Lockwood,	Walton,
Drew,	Markey,	Welch,
Edwards,	E. R. Miller,	Welker,
Eggleston,	R. C. Miller,	West,
Fancher,	Mitchell,	Wheeler,
Ferguson,	Morse,	Withington,
Garvelink,	O'Dell,	Wixson,
Gilmore,	Parsons,	Zimmerman,
Goodrich,	Priest,	Speaker,
Gordon,		

64

#### NAYS.

Mr. Ackley,	Mr. Perry,	Striker,
Bailey,	Pierce,	Van Aken,
Carter,	Ripley,	J. Walker,
Luce,		

10

Title and preamble agreed to.

Senate bill No. 147, entitled

A bill to amend an act entitled "An act to provide for the draining of swamps, marshes, and other low lands," approved March 22, 1869, by adding two new sections thereto, to be known as sections 34 and 35,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Robinson,
Bailey,	Goodrich,	Rose,
Bartholomew,	Gordon,	Sanderson,
Bonine,	Grant,	Scott,
Bottomley,	Green,	Sessions,
Breitung,	Haywood,	Simpson,
Briggs,	Hewitt,	Smith,
Brunson,	Hoar,	Speed,
Buell,	Hosner,	Striker,
Burns,	Hoyt,	Thomas,
Cady,	Kellogg,	Thompson,
Caplis,	Kipp,	Van Aken,
Carter,	Lamb,	Van Scoy,
Olimie,	Lewis,	A. Walker,
Cobb,	Lockwood,	B. Walker,
Curtis,	R. C. Miller,	J. Walker,
Dinturff,	Mitchell,	L. Walker,
Drake,	Morse,	Walton,
Edwards,	Parsons,	Welch,
Eggleston,	Perry,	Welker,
Fancher,	Pierce,	West,
Ferguson,	Priest,	Wheeler,
Fey,	Remer,	Wixson,
Garvelink,	Ripley,	Zimmerman, 72

## NAYS.

Mr. Greusel,	Mr. Markey,	Mr. Rich,
Howard,	O'Dell,	5

Title agreed to.

On motion of Mr. Bottomley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 345, entitled

A bill to amend section 19 of chapter 69, being section 2152 of the compiled laws of 1871, being section 19 of an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage," approved February 3, 1855,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Briggs,  
Brunson,  
Burns,  
Carter,  
Climie,  
Curtis,  
Dinturff,  
Fancher,  
Ferguson,  
Gordon,  
Green,

Mr. Hewitt,  
Hosner,  
Howard,  
Hoyt,  
Kipp,  
Lewis,  
Luce,  
E. R. Miller,  
O'Dell,  
Parsons,  
Perry,  
Pierce,

Mr. Rich,  
Ripley,  
Robinson,  
Scott,  
Sessions,  
Smith,  
Striker,  
A. Walker,  
B. Walker,  
J. Walker,  
West,  
Wheeler, 36

## NAYS.

Mr. Bailey,  
Bartholomew,  
Bonine,  
Bottomley,  
Breitung,  
Buell,  
Cady,  
Caplis,  
Cobb,  
Drake,  
Drew,  
Edwards,  
Eggleston,  
Fey,  
Garvelink,  
Gilmore,

Mr. Goodrich,  
Grant,  
Greusel,  
Haywood,  
Hoar,  
Kellogg,  
Lamb,  
Lockwood,  
Markey,  
R. C. Miller,  
Mitchell,  
Morse,  
Priest,  
Remer,  
Rose,

Mr. Sanderson,  
Simpson,  
Speed,  
Thomas,  
Thompson,  
Van Aken,  
Van Scoy,  
L. Walker,  
Walton,  
C. W. Watkins,  
Welch,  
Welker,  
Wixson,  
Zimmerman,  
Speaker. 46

House bill No. 304, entitled

A bill to amend section 4776 of the compiled laws of 1871,  
being section 1 of chapter 171,

Was read a third time, and pending the taking of the vote  
on the passage thereof,

Mr. Ripley moved to amend the bill by striking out in line  
3, recited section 4776, the words "if the wife is of the age of  
eighteen years ;"

Which was agreed to.

The bill was then passed, a majority of all the members elect  
voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Robinson,
Bailey,	Goodrich,	Rose,
Bartholomew,	Gordon,	Sanderson,
Bonine,	Grant,	Scott,
Bottomley,	Green,	Sessions,
Breitung,	Greusel,	Smith,
Briggs,	Haywood,	Speed,
Brunson,	Hewitt,	Striker,
Burns,	Hoar,	Thompson,
Oady,	Hosner,	Van Scoy,
Oaplis,	Howard,	A. Walker,
Carter,	Kellogg,	B. Walker,
Climie,	Kipp,	J. Walker,
Cobb,	Lamb,	Walton,
Curtis,	Luce,	O. W. Watkins,
Dinturff,	E. R. Miller,	Welker,
Drake,	R. O. Miller,	West,
Drew,	Mitchell,	Wheeler,
Edwards,	O'Dell,	Withington,
Eggleston,	Parsons,	Wixson,
Fancher,	Priest,	Zimmerman,
Ferguson,	Remer,	Speaker,
Fey,	Rich,	

68

## NAYS.

Mr. Garvelink,	Mr. Morse,	Mr. Thomas,
Hoyt,	Perry,	Van Aken,
Lockwood,	Ripley,	L. Walker,
Markey,	Simpson,	Welch,

12

Title agreed to.

House bill No. 140, entitled

A bill to repeal section 13 of an act entitled "An act for the relief of school districts," approved February 7, 1855, being section 3725 of chapter 136, of the compiled laws of 1871,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## NAYS.

Mr. Ackley,	Mr. Eggleston,	Mr. Perry,
Bailey,	Fey,	Remer,
Bartholomew,	Garvelink,	Rose,

Mr. Bonine,  
Breitung,  
Burns,  
Climie,  
Cobb,  
Dinturff,  
Drew,

Mr. Gordon,  
Haywood,  
Hosner,  
Lamb,  
Mitchell,  
O'Dell,  
Parsons,

Mr. Simpson,  
Speed,  
Van Aken,  
L. Walker,  
Welker,  
Wheeler,

29

## NAYS.

Mr. Bottomley,  
Briggs,  
Brunson,  
Caplis,  
Carter,  
Curtis,  
Drake,  
Edwards,  
Fancher,  
Ferguson,  
Gilmore,  
Goodrich,  
Grant,  
Green,  
Greusel,  
Hewitt,  
Hoar,

Mr. Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Morse,  
Pierce,  
Priest,  
Rich,  
Robinson,  
Sanderson,  
Scott,

Mr. Sessions,  
Smith,  
Striker,  
Thomas,  
Thompson,  
Van Scoy,  
A. Walker,  
B. Walker,  
J. Walker,  
Walton,  
C. W. Watkins,  
Welch,  
West,  
Withington,  
Wixson,  
Speaker.

51

House bill No. 344, entitled

A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to the "Manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22,

Was read a third time and passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Bartholomew,  
Bonine,  
Briggs,  
Brunson,  
Burns,  
Carter,

Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Lamb,  
Lewis,  
Luce,

Mr. Scott,  
Sessions,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,



Mr. Climie,	Mr. E. R. Miller,	Mr. Thompson,
Curtis,	R. C. Miller,	Van Aken,
Dinturff,	Morse,	A. Walker,
Drake,	O'Dell,	B. Walker,
Eggleston,	Parsons,	J. Walker,
Fancher,	Perry,	Walton,
Ferguson,	Pierce,	C. W. Watkins,
Garvelink,	Priest,	Welch,
Gilmore,	Remer,	Welker,
Goodrich,	Rich,	West,
Gordon,	Ripley,	Wheeler,
Grant,	Robinson,	Withington,
Green,	Rose,	Wixson,
Hewitt,	Sanderson,	Speaker,
Hosner,		

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## NAYS.

Mr. Bottomley,	Mr. Edwards,	Mr. Markey,
Breitung,	Fey,	Mitchell,
Cady,	Greusel,	Van Scoy,
Caplis,	Haywood,	L. Walker,
Cobb,	Hoar,	Zimmerman,
Drew,		

16

Title agreed to.

Senate bill No. 153, entitled

A bill to amend sections 1, 2, and 3 of an act entitled "An act to provide for an appeal from the board of school inspectors of any school district, to the township board," approved April 5, 1869, being sections 3734, 3735, and 3736 in chapter 136, of the compiled laws of 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Rich,

The bill was laid on the table.

House bill No. 372, entitled,

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act No. 404 of the session laws of 1869, approved April 2, 1869,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Perry,

The bill was laid on the table.

House bill No. 218, entitled

A bill to amend section 11, of chapter 150 of the revised statutes of 1846, as amended by act 134 of the session laws of 1867, entitled "An act to amend sections 11 and 13 of chapter 150 of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws," approved March 27th, 1867, said section being section 7443 of the compiled laws of 1871, relative to the fees of sheriffs,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Bartholomew,	Mr. Greusel,	Mr. Scott,
Bonine,	Haywood,	Sessions,
Breitung,	Hewitt,	Simpson,
Brunson,	Hoar,	Speed,
Burns,	Hosner,	Striker,
Cady,	Howard,	Thomas,
Caplis,	Hoyt,	Thompson,
Olimie,	Kipp,	Van Scoy,
Dinturff,	Lewis,	A. Walker,
Drake,	Lockwood,	Walton,
Edwards,	E. R. Miller,	C. W. Watkins,
Eggleston,	Mitchell,	Welch,
Fancher,	Parsons,	Welker,
Ferguson,	Perry,	West,
Fey,	Pierce,	Wheeler,
Gilmore,	Priest,	Withington,
Goodrich,	Bemer,	Wixson,
Gordon,	Ripley,	Zimmerman,
Grant,	Rose,	Speaker,
Green,		

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#### NAYS.

Mr. Ackley,	Mr. Kellogg,	Mr. Robinson,
Bottomley,	Lamb,	Sanderson,
Briggs,	Luce,	Smith,

Mr. Carter,	Mr. Markey,	Mr. Van Aken,	
Curtis,	R. C. Miller,	B. Walker,	
Drew,	O'Dell,	J. Walker,	
Garvelink,	Rich,	L. Walker,	23

Title agreed to.

On motion of Mr. Edwards,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 373, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, and appropriating certain non-resident highway taxes therefor,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Lockwood,

The bill was laid on the table.

House bill No. 374, entitled

A bill for laying out, establishing, and constructing a State road in the county of Oscoda, and appropriating certain non-resident taxes to construct the same,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Lockwood,

The bill was laid on the table.

#### MOTIONS AND RESOLUTIONS.

Mr. C. W. Watkins moved to take from the table House bill No. 228, entitled

A bill to provide additional compensation to the members of the Legislature from the Upper Peninsular for the year 1873 ;  
Which motion prevailed.

On motion of Mr. C. W. Watkins,

The bill was placed on the order of third reading.

Mr. Simpson moved to take from the table House bill No. 317, entitled

A bill to incorporate the city of Bangor, in Van Buren county;

Which motion prevailed.

The question being on the passage of the bill,

Mr. Simpson moved to amend the bill by adding to section 3 the following: "But until the population of the city shall exceed three thousand, it shall be entitled to only one supervisor, who shall discharge the duties of the office for both wards;"

Also;

In section 4 line 3 strike out the words "two supervisors," and insert "one supervisor;" and in same line strike out the word "assessors" and insert "assessor; and in same section line 6 strike out the words "two supervisors" and insert "supervisor;" and in section 5 line 1 strike out "supervisors" and insert "supervisor;"

Which was agreed to.

Mr. J. Walker moved to lay the bill on the table;

Which motion did not prevail.

The question being on the passage of the bill,

Mr. C. W. Watkins demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Bailey,  
Bonine,  
Bottomley,  
Breitung,  
Cady,  
Chamberlain,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Eggleston,

Mr. Green,  
Greusel,  
Harris,  
Haywood,  
Hoar,  
Hosner,  
Howard,  
Kellogg,  
Lamb,  
Lewis,  
Lockwood,  
Markey,

Mr. Ripley,  
Robertson,  
Rose,  
Scott,  
Simpson.  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Scoy,  
L. Walker,  
C. W. Watkins,

Mr. Fancher,	Mr. R. C. Miller,	Mr. Welch,
Fey,	Morse,	Wheeler,
Garvelink,	Pierce,	Wixson,
Gordon,	Remer,	Zimmerman, 48

## NAYS.

Mr. Bartholomew,	Mr. Hewitt,	Mr. Sessions,
Briggs,	Hoyt,	Smith,
Branson,	Kipp,	Van Aken,
Burns,	Luce,	A. Walker,
Olmie,	E. R. Miller,	B. Walker,
Cobb,	Mitchell,	J. Walker,
Curtis,	O'Dell,	Walton,
Ferguson,	Parsons,	Welker,
Gilmore,	Priest,	Withington,
Goodrich,	Rich,	Speaker.
Grant,	Sanderson,	32

Mr. Edwards moved to discharge the committee of the whole from the further consideration of House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit ;

Which motion prevailed.

On motion of Mr. Edwards,

The bill was placed on the order of third reading.

Mr. Welker moved that the committee on the judiciary be requested to report to this House, Senate joint resolution No. 8, entitled

Joint resolution for the appointment of commissioners to prepare a code of procedure, or simplify and abridge the practice, pleadings, and proceedings of the courts of this State ;

Which motion prevailed.

Mr. Scott moved to take from the table House bill No. 77, entitled

A bill to make an appropriation in aid of the Michigan Pomological State Society ;

Which motion prevailed.

On motion of Mr. Scott,

The bill was placed on the order of third reading.

Mr. Fancher moved to take from the table Senate bill No. 131, entitled

A bill relative to granting injunctions in certain cases.

On motion of Mr. Fancher,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Gilmore moved that the rule limiting the time in which a reconsideration may be had, be suspended ;

Which motion did not prevail.

Mr. Welch offered the following :

*Resolved*, That Mr. J. S. Harrison be allowed for services rendered as stenographer, to and for the special committee ordered on the 20th day of March to visit the University, a like proportional sum for expenses, and at the same rate per folio of transcript as was allowed to him for similar services rendered for reporting and transcribing the testimony taken before the special committee appointed to investigate the charges against Judge Giddings ;

Which was not adopted.

Mr. C. W. Watkins offered the following :

*Resolved*, That the bills of the stenographers employed by the committees to investigate the Grand Rapids & Indiana Railroad and the University, be referred to the committee on supplies and expenditures, for adjustment and settlement ;

Which was adopted.

Mr. Rose moved to take from the table Senate bill No. 179, entitled

A bill to amend section 15 of act No. 175 of the laws of 1851, entitled "An act to provide for holding general and special elections," approved June 27, 1851, being section 46, of the compiled laws of 1871 ;

Which motion did not prevail.

Mr Fancher moved to take from the table House bill No. 271, entitled

A bill to detach surveyed townships Nos. 19 and 20 north, of range 2 west, from the township of Gladwin, in the county of Gladwin, and attach the same to the township of Grout;

Which motion prevailed.

On motion of Mr. Fancher,

The bill was then placed on the order of third reading.

Mr. Smith moved to take from the table House bill, No. 292, entitled

A bill to convey the title of the State of Michigan, in and to certain estates, to Mary Jane Conroy;

Which motion prevailed.

On motion of Mr. Smith,

The bill was placed on the order of third reading.

Mr. J. Walker moved that the House take a recess until 7½ o'clock this evening.

Mr. Bartholomew moved that the House adjourn;

Which motion did not prevail.

The motion to take a recess then prevailed.

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EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

Mr. C. W. Watkins moved that the rules be suspended and that the clerk be directed to record his name as voting "yea" on House bill No. 124, entitled

A bill for the incorporation of villages.

Which motion did not prevail.

## GENERAL ORDER.

On motion of Mr. Hoyt,

The House went into committee of the whole on the general order,

Mr. C. W. Watkins in the chair.

After some time spent therein the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 346, entitled

A bill to provide for the appointment of special tax collectors; to provide for a special tax upon persons engaged in the sale of intoxicating and malt liquors; and to repeal chapter 69 of the compiled laws of 1871, entitled "The manufacture and sale of intoxicating drinks as a beverage," and all acts amendatory thereto, and all acts inconsistent with the provisions of this act;

2. House bill No. 315, entitled

A bill to revise and amend an act entitled "An act to encourage the erection and support of water-power manufactories," approved March 25, 1865, the same being chapter 221 of the compiled laws of 1871;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill No. 355, entitled

A bill to amend section 6, being section 6794, chapter 215, of the compiled laws of 1871, relative to certain liens upon real property;

4. Senate bill No. 193, entitled

A bill to require the publication of the official proceedings of the boards of supervisors and county and district canvassers;



Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

C. W. WATKINS, *Chairman*.

Report accepted and committee discharged.

The question being on concurring in the amendments made to the first named bill,

Mr. Brunson moved that the House do concur.

Mr. Caplis demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robinson,
Bonine,	Haywood,	Rose,
Briggs,	Hewitt,	Scott,
Brunson,	Hosner,	Sessions,
Burns,	Howard,	Simpson,
Cady,	Hoyt,	Smith,
Chamberlain,	Lamb,	Striker,
Climie,	Luce,	A. Walker,
Curtis,	R. C. Miller,	J. Walker,
Dintruff,	Mitchell,	Walton,
Drake,	Morse,	C. W. Watkins,
Fancher,	O'Dell,	Welch,
Ferguson,	Parsons,	Welker,
Garfield,	Pierce,	West,
Garvelink,	Priest,	Wheeler,
Gilmore,	Rich,	Wixson,
Goodrich,	Ripley,	Speaker,
Gordon,		

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#### NAYS.

Mr. Bailey,	Mr. Grant,	Mr. Speed,
Bottomley,	Greusel,	Thompson,
Breitung,	Harris,	Van Aken,
Caplis,	Hoar,	Van Scoy,
Cobb,	Lewis,	L. Walker,
Edwards,	Markey,	Withington,
Eggleston,	Shaw,	Zimmerman,
Fey,		

23

The bill was placed on the order of third reading.

On motion of Mr. Bottomley,

The House concurred in the amendments made to the second named bill by the committee, and the bill was placed on the order of third reading.

The third and fourth named bills were placed on the order of third reading.

Mr. L. Walker moved that the rules be suspended and that the clerk be directed to record Mr. C. W. Watkins as voting "yea" on House bill No. 124, entitled

A bill for the incorporation of villages ;

Pending which,

On motion of Mr. Morse,

The House adjourned.

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*Lansing, Wednesday, April 16, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bangs.

Roll called: quorum present.

Absent without leave: Messrs. Caplis, Hertzler, Robertson, and B. Walker.

Mr. Welch asked and obtained leave of absence for Mr. Hertzler indefinitely on account of sickness.

Mr. Remer asked and obtained leave of absence for Mr. B. Walker for the day.

Mr. Bonine asked and obtained leave of absence for Mr. Robertson indefinitely on account of sickness.

The conference committee on the part of the House to act with a like committee on the part of the Senate to recommend the time of final adjournment of the two Houses, report as the sense of such committee, the following resolution :

*Resolved* (the Senate concurring), That from and after Friday the 25th day of April, 1873, at 10 o'clock, A. M., the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and the time of final adjournment of this Legislature shall be on Thursday, the 1st day of May, 1873, at 12 o'clock noon of that day.

JOHN GREUSEL,

*Chairman on the part of the House.*

Report accepted and committee discharged.

The question being on the adoption of the resolution,

Mr. Priest moved to amend the resolution by striking out the words "at ten o'clock A. M.;"

Which was agreed to.

The question being on the adoption of the resolution,

Mr. Bonine demanded the yeas and nays.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Bartholomew,	Greusel,	Robinson,
Bonine,	Haire,	Rose,
Bottomley,	Harris,	Sanderson,
Brietung,	Haywood,	Scott,
Briggs,	Hewitt,	Sessions,
Brunson,	Hoar,	Shaw,
Buell,	Hosner,	Simpson,
Cady,	Howard,	Smith,
Carter,	Hoyt,	Speed,
Chafey,	Kellogg,	Striker,
Chamberlain,	Kipp,	Thomas,
Climie,	Lamb,	Thompson,
Cobb,	Lewis,	Van Aken,
Curtis,	Lockwood,	Van Scoy,
Dinturff,	Luce,	A. Walker,
Drake,	Markey,	J. Walker,
Drew,	E. R. Miller,	L. Walker,

Mr. Edwards,	Mr. R. C. Miller,	Mr. Walton,	
Eggleston,	Mitchell,	Welch,	
Fancher,	Morse,	Welker,	
Ferguson,	O'Dell,	West,	
Fey,	Parsons,	Wheeler,	
Garfield,	Perry,	Withington,	
Garvelink,	Pierce,	Wixson,	
Goodrich,	Priest,	Zimmerman,	
Gordon,	Remer,	Speaker,	
Grant,	Rich,		83

## NAYS.

Mr. Bailey,	Mr. Gilmore,	2
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## PRESENTATION OF PETITIONS.

By Mr. Mitchell: Memorial of Hon. G. R. McKay and 8 others, asking for a favorable consideration of the House bill relative to the propagation of fish in Brace lake, Calhoun county, and setting forth the reasons therefor.

Referred to the committees on fisheries and manufactures.

By Mr. Shaw: Petition of the members of the Eaton county bar for the passage of the bill requiring all sessions of the Supreme Court to be at Lansing.

Referred to the committee on judiciary.

By Mr. Striker: Petition of Hovey Wright and other attorneys of Barry county, for the passage of the law for holding all terms of the Supreme court at Lansing.

Referred to the committee on judiciary.

By Mr. Speed: Memorial of Mrs. L. D. H. Bradish, relative to the portrait of the late Dr. Douglass Houghton.

Referred to the special committee on that subject.

## REPORTS OF STANDING COMMITTEES.

By the committee on fisheries:

The committee on fisheries, to whom was referred House bill No. 191, entitled

A bill to provide for the protection and propagation of the more valuable kinds of fish in Brace Lake, Calhoun county, Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Mitchell,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries :

The committee on fisheries, to whom was referred

A bill to prevent the destruction of fish in Fisk's and Reed's Lake in the township of Grand Rapids, in the county of Kent,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cady,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education :

The committee on education, to whom was re-referred House bill No. 28, entitled

A bill to amend sections 4, 7, and 9 of "An act entitled an act to provide for a County Superintendent of Schools, and to

amend section 91 and repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78 of compiled laws," approved March 19th, 1867, and being sections 3759, 3762, and 3764 of compiled laws of 1871,

With instructions to make certain amendments,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, in accordance with instructions, and recommend that the bill, when so amended, do not pass, and ask to be discharged from the further consideration of the subject.

A. PERRY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Hoyt,

The bill was placed on the order of third reading.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the protection of fish in any and all the lakes or streams in Branch county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Aken,

The bill was laid on the table.

By the committee on local taxation:

The committee on local taxation to whom was referred

A bill to legalize the tax-roll of the village of Mendon for the years 1871, 1872, and 1873;

Your committee report the bill only legalizing the tax-roll and election for 1873, and

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Climie,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Climie,

The rules were suspended and the bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Climie,

The bill was recommitted to the committee on local taxation.

By the committee on ways and means:

The committee on ways and means, to whom was recommitted House bill No. 199, entitled

A bill to amend an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved April 6th, 1869, by adding two new sections thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments recommending that the amendments be concurred in, and that the bill, when

so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cady,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Speed,

The bill was placed on the order of third reading.

By the committee on ways and means :

The committee on ways and means, to whom was referred

A bill to amend sections 7, 18, 20, 22, 27, 32, 36, 40, and 41, of chapter 21 of the compiled laws of 1871, the same being an act to provide for the uniform assessment of property, and for the collection and return of taxes thereon, and to add a new section thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Grant,

The bill was laid on the table.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill No. 230, entitled

A bill to amend sections 3, 11, 14, 15, 16, 18, 19, 20, 21, 22, 23, 27, 28, 34, 35, 36, 37, 61, 79, 95, 120, 124, and 141 of title 8, chapter 21, of the compiled laws of 1871, being "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869,

Respectfully report that the changes proposed by this bill are as follows, viz :

Section 3, as amended, leaves out of personal property liable



to taxation, all deduction for moneys on which the owner pays interest, and for his indebtedness.

Section 11, as amended, provides that the lands of actual settlers under any homestead laws of this State, or of the United States, after the expiration of the five years exemption, shall be subject to taxation, although they may not have obtained patents for their lands. It is claimed that many of these settlers neglect to obtain patents when entitled to them, in order that they may avoid taxation.

Section 14, as amended, provides that the statement therein required, shall be made to the assessor, comptroller, or proper assessing officer of any city or village. The section now provides for such statement being made to the supervisor only.

Section 15, as amended, strikes out the 13th and 14th subdivisions of the sections, requiring a statement of the amount of moneys upon which the person making the statement pays interest, and also his indebtedness.

Section 16, as amended, provides that the assessor may require the statement, provided in the law, to be sworn to; and also provides that any person neglecting or refusing to make such statement or the affidavit required, or shall make any false statement shall be deemed guilty of a misdemeanor, and may be prosecuted and punished therefor.

Section 18 is amended to correspond with section 3 of the bill, and provides that the statements required by section 15 shall be filed and kept by the assessing officer, and constitute a part of the records of the township, city, or village. It also provides that the assessor shall make a list of all persons who neglect or refuse to make such statement, with the reasons therefor.

Section 19 is changed so as to apply to other assessing officers than the supervisor; and also provides that the assessor shall assess all property of which he shall obtain reasonable knowledge, at its true cash value.

Section 20, as amended, provides for a board of review to

consist of the township board, and in case of cities and villages, to consist of such persons or officers as are provided in the laws incorporating such cities or villages, and in this bill.

Section 21 is changed to comply with the other provisions of the bill.

Section 22, as amended, provides that the Auditor General shall transmit to the county treasurers suitable blanks before the first Monday of October in each year.

Section 23 is amended by adding another subdivision to stand as subdivision 8, which provides that to each description shall be added a statement indicating the nature of the improvement thereon.

Section 27, as amended, provides that the equalization of of any county shall not be below the aggregate valuation of such county as established at the last equalization, pursuant to the laws of the State.

Section 28, as amended, provides for adding to the rolls any property that may have been omitted.

Section 34, as amended, changes the time so as to give the township treasurer fifteen days within which to file his bond before the delivery of tax-roll to him.

Section 36 as amended raises the pay of assessors from two dollars to three dollars per day.

Section 95 is amended so that upon the redemption of the land the person redeeming must pay *the charges* as well as the taxes and interest.

Section 124 is amended by adding the following: The board of supervisors of any county may dispose of the whole amount so charged back, as shall appear against each or any of the several descriptions of land on such list, by re-assessment, when the taxes had been properly assessed, and not discharged by a decree of any court or otherwise, or in such other manner, at the discretion of such board, as may be deemed proper, the object being to charge back the unpaid taxes upon the same description of land upon which they were first assessed.

The committee have made several amendments to the bill, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, except sections 3 and 15 which the committee have directed me to report back to the House without recommendation.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walton,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committees on ways and means and judiciary:

The committees on ways and means and judiciary, to whom was referred jointly House bill No. 250, entitled

A bill to provide for the deposit and safe-keeping of the public moneys belonging to the several counties of the State, and prescribe the duties of the treasurers and boards of supervisors and auditors in relation thereto,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT,

*Chairman Committee on Ways and Means.*

J. J. SPEED,

*Acting Chairman Committee on Judiciary.*

Report accepted and committee discharged.

On motion of Mr. Greusel,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Greusel,

The bill was placed on the order of third reading.

By the committee on harbors :

The committee on harbors, to whom was referred

A bill to prevent injurious encroachments upon waters of rivers and harbors in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

Your committee are of the opinion that there are sufficient laws on the statutes applicable to the case sought by this bill.

E. H. GREEN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Van Aken,

The bill was laid on the table.

By the committee on judiciary :

The committee on judiciary, to whom was re-referred House bill No. 329, entitled

A bill to amend section 4269 of the compiled laws of 1871, in relation to estates in dower,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

This amendment simply changes the word "unoccupied," in the bill, to "unimproved."

HENRY A. SHAW, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate joint resolution No. 4, entitled

Joint resolution proposing an amendment to section 1 article 9 of the constitution of the State relative to salaries,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

The object of this amendment is to relieve the Legislature from changing the salaries of State officers oftener than once in six years, thus giving to the people at regular stated periods an opportunity to choose their representatives with reference to a continuance or the decrease or increase of salaries of State officers.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The House concurred in the amendments made to the bill by the committee.

The joint resolution was then referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to legalize bounties to certain volunteers credited to Elba, Gratiot county, and to provide for the payment of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Aken,

The bill was laid on the table.

By the committee on local bills:

The select committee on local bills have had under consideration

Senate bill No. 140, entitled

A bill to amend section 1 of act No. 233 of the session laws of 1869, entitled "An act appropriating certain non-resident highway taxes for the improvement of the Ovid and St. Charles State road ;"

Also,

House bill No. 369, entitled

A bill to establish a State Reformatory ;

And respectfully recommend that the bills be taken from the general order and placed on the order of third reading of bills.

J. K. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the recommendation of the committee, and the bills were placed on the order of third reading

#### COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

*To the Clerk of the House of Representatives :*

SIR—I herewith transmit a copy of rules 7 and 8 of the State Library, and also an act relative to the State Library, passed the present session, to which you will please call the attention of the House:

#### RULES RELATING TO THE RETURN OF BOOKS TO THE STATE LIBRARY:

RULE 7. Any member of the Legislature having in his possession any book, map, or other publication belonging to the Library, shall return the same four days before the adjournment of the Legislature.

RULE 8. Three days before the adjournment of the Legisla-

ture, the Librarian shall report to the Senate and House of Representatives the name of each member of the Legislature who has not returned *all* books, maps, or other publications taken out of the Library by such member, and settled and paid all accounts for fines, for injuring such books or otherwise.

Adopted May 1, 1846.

AN ACT to provide for the better management and care of the State Library.

SECTION 1. *The People of the State of Michigan enact*, That section four of an act entitled, "An act to provide for the better management and care of the State Library," the same being section two 271 in chapter seven of the compiled laws of 1871, be and the same is hereby amended so as to read as follows:

(271.) Sec. 4. Before any member of the Senate, or of the House of Representatives, or of the Convention to revise the Constitution, or any other officer or employe of the State, who is authorized by the rules of the State Library to draw books therefrom, shall receive their pay in full, it shall be necessary for such member, officer, or employe to obtain and exhibit a certificate from the Librarian stating that such member, officer, or employe has returned all books he may have drawn, if any, from such State Library.

Sec. 2. This act shall take immediate effect.

Approved February 28, 1873.

Very respectfully,

HARRIET A. TENNEY,  
*State Librarian.*

The communication was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, April 15, 1873.*

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 16, entitled

Joint resolution directing the Board of State Auditors to settle certain claims of James S. Dewey against the State of Michigan, arising out of the compilation of 1871 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 15, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 237, entitled

A bill to repeal an act entitled "An act to authorize the Roman Catholic bishops of Michigan and their successors in office to hold property in trust for the use of the church," approved March 27, 1867, being section 3124 of the compiled laws of 1871 ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies and judiciary jointly.

The Speaker also announced the following :



SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills :

1. Senate bill No. 40, entitled

A bill to amend section 20 of chapter 144, relating to University and school lands, being section 3836 of the compiled laws of 1871,

2. Senate bill No. 248, entitled

A bill to amend section 15 of an act entitled “ An act to establish a State Public School for dependent and neglected children,” approved April 17, 1871, and to add 4 new sections thereto, to be known as sections 16, 17, 18, and 19,

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on university and normal school, and education jointly.

The second named bill was read a first and second time by its title, and referred to the committee on State public school.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

House bill No. 234, entitled

A bill to authorize the board of supervisors of Ionia county to apportion and cause to be levied a tax, in the year A. D.

1873, upon certain portions of fractional school district No. 5 of the townships of Portland, Danby, Orange, and Sebewa;

House bill No. 281, entitled

A bill to change the name of the First Presbyterian Ecclesiastical Society of Franklin, Lenawee county, Michigan, to the First Congregational Church and Society of Franklin, in said county, and to appoint seven trustees for the same;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April —, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate manuscript bill, entitled

A bill to attach school district No. 5 of the township of Hudson to the incorporated school district known as "the public schools of the village of Hudson;"

2. Senate manuscript bill entitled

A bill to confer certain powers upon the Board of County Auditors for the county of Wayne;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on education.

The second named bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR.—I am instructed to return to the House the following bills :

1. House bill No. 211, entitled

A bill to authorize the Detroit & Prairie Mound Plank Road Company to collect the same tolls as are charged by the Detroit, Hamtramck & Warren Plank Road Association, and to provide for the discontinuance of part of its road when paved ;

2. House bill No. 156, entitled

A bill making an appropriation for the support of the State Public School, and providing for building additional cottages and other improvements for the same ;

3. House bill No. 221, entitled

A bill to amend section 1 of an act entitled “An act to incorporate the village of Leslie ;”

4. House substitute for House bill No. 210, entitled

A bill providing for the location, establishment, and maintenance of an additional asylum for the insane ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 15, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolutions :

1. House joint resolution No. 18, entitled

Joint resolution authorizing the State Board of Control to authorize the issue of State swamp land credits to Henry W. Burley for labor by him performed on the Osceola and Bridgeton State road;

2. House joint resolution No. 22, entitled

Joint resolution for the payment of printing done by R. A. Beal;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 15, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 109, entitled

A bill to provide for the education of certain poor person in the "Michigan Institution for educating the deaf, and dumb, and the blind;"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the

same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. House bill No. 215, entitled

A bill to enable agricultural and horticultural societies and horse fairs to extend a more perfect protection to their property, and the property of exhibitors at fairs, and to allow the board of managers to appoint police for that purpose ;

2. House bill No. 322, entitled

A bill to amend section 43 of an act entitled " An act to revise the charter of the village of Hudson," approved February 27, 1867 ;

3. House bill No. 266, entitled

A bill to amend sections 1 and 6 of an act entitled " An act to authorize the formation of gas-light companies," approved February 12, 1855, and to add a new section thereto, to stand as section No. 14 ;

4. House bill No. 278, entitled

A bill to organize the township of Haring in the county of Wexford ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAS. H. STONE,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, {  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved* (the Senate concurring), That a committee of three be appointed on the part of the House, and three on the part of the Senate, for the purpose of agreeing upon a day for the final adjournment of both Houses of this Legislature,

In the adoption of which the Senate has concurred, and to inform the House that Senators Sumner, Dewey, and Childs, have been appointed as members of such conference committee on the part of the Senate.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The message was laid on the table.

Mr. Rich moved to reconsider the vote by which the House refused to pass House bill No. 140, entitled

A bill to repeal section 13 of an act entitled "An act for the relief of school districts," approved February 7, 1855, being section 3725 of chapter 136, of the compiled laws of 1871;

Which motion did not prevail.

#### THIRD READING OF BILLS.

House bill No. 228, entitled

A bill to provide additional compensation to the members of the Legislature from the Upper Peninsula for the year 1873,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Gordon demanded the previous question.

The demand was seconded, and the main question ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Garvelink,	Mr. Pierce,
Bartholomew,	Gilmore,	Remer,
Bonine,	Goedrich,	Rose,
Bottomley,	Gordon,	Sanderson,
Breitung,	Grant,	Scott,
Briggs,	Green,	Shaw,
Brunson,	Greusel,	Simpson,
Buell,	Haire,	Smith,
Burns,	Harris,	Speed,
Cady,	Haywood,	Thomas,
Caplis,	Hoar,	Thompson,
Chafey,	Hosner,	Van Scoy,
Chamberlain,	Howard,	A. Walker,
Climie,	Hoyt,	L. Walker,
Cobb,	Lewis,	Walton,
Drew,	Lockwood,	C. W. Watkins,
Edwards,	Markey,	Welch,
Eggleston,	Mitchell,	Wheeler,
Fancher,	Morse,	Withington,
Ferguson,	Parsons,	Zimmerman,
Fey,	Perry,	Speaker, 63

## NAYS.

Mr. Bailey,	Mr. Kipp,	Mr. Ripley,
Carter,	Lamb,	Robinson,
Curtis,	Luce,	Sessions,
Dinturff,	E. R. Miller,	Striker,
Drake,	R. O. Miller,	J. Walker,
Garfield,	O'Dell,	Welker,
Hewitt,	Priest,	Wixson,
Kellogg,	Rich,	23

Title agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Climie moved to reconsider the vote by which the House refused to pass

House bill No. 317, entitled

A bill to incorporate the city of Bangor, in Van Buren county.

Mr. Grant moved to lay the motion to reconsider on the table;

Which motion did not prevail.

The motion to reconsider then prevailed.

The question being on the passage of the bill,

On motion of Mr. Simpson,

The bill was amended by striking out in line 2 section 6, the word "April," and inserting in lieu thereof the word "June."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Rose,
Bonine,	Haire,	Scott,
Bottomley,	Harris,	Sessions,
Breitung,	Haywood,	Shaw,
Buell	Hoar,	Simpson,
Cady,	Hosner,	Speed,
Caplis,	Kellogg,	Striker,
Chafey,	Lamb,	Thomas,
Chamberlain,	Lewis,	Thompson,
Drake,	Lockwood,	Van Scoy,
Drew,	Markey,	L. Walker,
Edwards,	R. C. Miller,	C. W. Watkins,
Eggleston,	Morse,	Welch,
Fancher,	Perry,	West,
Fey,	Pierce,	Wheeler,
Garvelink,	Reimer,	Wixon,
Gordon,	Ripley,	Zimmerman,
Green,	Robinson,	53

#### NAYS.

Mr. Bartholomew,	Mr. Grant,	Mr. Rich,
Brunson,	Hewitt,	Sanderson,
Burns,	Howard,	Smith,
Carter,	Hoyt,	Van Aken,
Climie,	Kipp,	A. Walker,
Cobb,	Luce,	J. Walker,
Curtis,	E. R. Miller,	Walton,
Dinturff,	O'Dell,	Welker,
Ferguson,	Parsons,	Withington,
Garfield,	Priest,	Speaker,
Goodrich,		31

Mr. Bottomley moved to reconsider the vote by which the House passed the bill.



On motion of Mr. Bottomley,

The motion to reconsider was laid on the table.

House bill No. 280, entitled

A bill to bar the right of dower of insane, imbecile, or idiotic married women,

Was read a third time and pending the taking of the vote on the passage thereof,

Mr. Gilmore moved to amend the bill by inserting after the word "guardian," in line 1 section 4, the words "*ad litem* appointed as in other cases by said court ;"

Which was agreed to.

Mr. Ripley moved to amend the bill by striking out, in line 4 section 6, the words "to her husband, if he be living at her death ; if not living, then ;"

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Bailey,	Green,	Rose,
Bartholomew,	Grensch,	Sanderson,
Bonine,	Haire,	Scott,
Breitung,	Harris,	Sessions,
Buell,	Hewitt,	Shaw,
Burns,	Hoar,	Simpson,
Cady,	Howard,	Smith,
Caplis,	Hoyt,	Speed,
Chafey,	Kipp,	Striker,
Clunie,	Lamb,	Thomas,
Cobb,	Lockwood,	Thompson,
Dinturff,	Luce,	Van Aken,
Drake,	Markey,	Van Scoy,
Drew,	E. R. Miller,	A. Walker,
Edwards,	R. C. Miller,	J. Walker,
Eggleston,	Mitchell,	L. Walker,
Fancher,	Morse,	Walton,
Ferguson,	O'Dell,	O. W. Watkins,
Fey,	Parsons,	Welch,
Garfield,	Perry,	West,
Garvelink,	Pierce,	Withington,

Mr. Gilmore,  
Goodrich,  
Gordon,

Mr. Priest,  
Rich,  
Ripley,

Mr. Wixson,  
Zimmerman,  
Speaker, 75

# NAYS.

Mr. Briggs,  
Brunson,  
Carter,

Mr. Chamberlain,  
Curtis,

Mr. Haywood,  
Kellogg,

7

Title agreed to.

On motion of Mr. Gilmore,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Edwards moved to amend the bill as follows :

1. Amend in section 1 line 3, by striking out all after the word "who," to and including the word "created," in line 5 ;

2. Amend in section 1 line 6, by striking out all after the word "persons," to and including the word "year," in line 7 ;

3. Amend in section 2 line 11, by inserting after the word "city," the words "subject to the approval of the common council ;"

4. Amend in section 4 line 3, by inserting after the words "laid out," the word "approved ;"

5. Amend the bill by adding to section 6 the following :

" *Provided*, That all sewers, water pipes, gas pipes, and all connections be made and completed at least one year before such paving is ordered or done ;"

6. Amend in section 16 line 9, by inserting after the word "orders," the words "authorized by the common council ;"

7. Amend section 18 line 3, by striking out the words "such board," and inserting in place thereof the words "the common council ;"

All of which amendments were agreed to.

Mr. Edwards moved to amend the bill by striking out in section 8 in line 5 all after the word "city," to and including the word "acts" in line 10; also, strike out the words "or water" in line 10 section 8;

Which was not agreed to.

Mr. Greusel moved to amend the bill by striking out all of section 21;

Which was agreed to.

Mr. Speed moved to amend the bill by inserting after the word "city" in line 3 section 9, the words, "excepting such buildings and works as may by law be under the supervision of the Board of Water Commissioners;"

Which was agreed to.

Mr. Edwards moved to amend the bill by adding a new section to be known as section 23, as follows:

"This act shall be so construed as to repeal, and does repeal an act entitled, 'An act supplementary to the charter of the city of Detroit relating to a public park, or other public grounds for the use of said city,' approved April 15, 1871, and all the acts amendatory or supplementary thereof;"

• On agreeing to which,

Mr. Edwards demanded the yeas and nays.

The demand was seconded, and the motion to amend did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Carter,	Mr. Greusel,	Mr. Simpson,
Chafey,	Haywood,	Striker,
Chamberlain,	Kellogg,	Thomas,
Curtis,	Kipp,	Van Aken,
Drake,	Lamb,	J. Walker,
Edwards,	Lewis,	Welch,
Garvelink,	Markey,	Welker,
Gilmore,	R. C. Miller,	Wheeler,
Green,	Pierce,	

26

#### NAYS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,
Bartholomew,	Gordon,	Rose,
Bonine,	Grant,	Sanderson,
Breitung,	Haire,	Scott,

Mr. Briggs,	Mr. Harris,	Mr. Sessions,
Brunson,	Hewitt,	Smith,
Buell,	Hoar,	Speed,
Burns,	Hosner,	Thompson,
Cady,	Howard,	Van Scoy,
Caplis,	Hoyt,	A. Walker,
Climie,	E. R. Miller,	Walton,
Cobb,	Morse,	C. W. Watkins,
Dinturff,	O'Dell,	West,
Drew,	Parsons,	Withington,
Eggleston,	Perry,	Wixson,
Fancher,	Rich,	Zimmerman,
Fey,	Ripley,	Speaker.
Garfield,		

52

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Garfield,	Mr. Perry,
Bailey,	Garvelink,	Pierce,
Bartholomew,	Gilmore,	Priest,
Bonine,	Goodrich,	Rich,
Bottomley,	Gordon,	Ripley,
Breitung,	Grant,	Robinson,
Briggs,	Green,	Rose,
Brunson,	Greusel,	Sanderson,
Buell,	Haire,	Scott,
Burns,	Harris,	Sessions,
Cady,	Haywood,	Shaw,
Caplis,	Hewitt,	Simpson,
Carter,	Hoar,	Smith,
Chafey,	Hosner,	Speed,
Chamberlain,	Howard,	Striker,
Climie,	Hoyt,	Thompson,
Cobb,	Kellogg,	Van Scoy,
Curtis,	Kipp,	A. Walker,
Dinturff,	Lamb,	J. Walker,
Drake,	Markey,	Walton,
Drew,	E. R. Miller,	C. W. Watkins,
Edwards,	R. C. Miller,	Welch,
Eggleston,	Mitchell,	Welker,
Fancher,	Morse,	Withington,
Ferguson,	O'Dell,	Wixson,
Fey,	Parsons,	Zimmerman,

78

## NAYS.

0

Title agreed to.

House bill No. 77, entitled

A bill to make an appropriation in aid of the Michigan Pomological State Society.

Was read a third time and was not passed, two-thirds of all the members elect not voting therefor, by yeas and nays as follows:

## YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Priest,
Bailey,	Garfield,	Ripley,
Bartholomew,	Goodrich,	Robinson,
Bonine,	Gordon,	Rose,
Bottomley,	Haire,	Sanderson,
Breitung,	Harris,	Scott,
Briggs,	Haywood,	Sessions,
Brunson,	Hoar,	Shaw,
Buell,	Hosmer,	Simpson,
Burns,	Hoyt,	Speed,
Caplis,	Kellogg,	Thompson,
Chasey,	Lewis,	Van Scoy,
Chamberlain,	Lockwood,	A. Walker,
Climie,	Markey,	L. Walker,
Cobb,	R. C. Miller,	Welch,
Curtis,	Mitchell,	Welker,
Dintarff,	Morse,	West,
Eggleston,	Parsons,	Wheeler,
Fancher,	Pierce,	Speaker,
Ferguson,		

58

## NAYS.

Mr. Cady,	Mr. Greusel,	Mr. Smith,
Carter,	Howard,	Striker,
Drake,	Kipp,	Thomas,
Drew,	Lamb,	J. Walker,
Edwards,	Luce,	Walton,
Garvelink,	E. R. Miller,	C. W. Watkins,
Gilmore,	O'Dell,	Withington,
Grant,	Perry,	Wixson,
Green,	Rich,	Zimmerman, 27

Senate bill No. 131, entitled

A bill relative to granting injunctions in certain cases,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Shaw moved to amend the bill by adding at the end the following:

*"Provided, This bill shall not apply to taxes assessed for drainages purposes;"*

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Rose,
Bailey,	Grant,	Sanderson,
Bartholomew,	Green,	Scott,
Bonine,	Greusel,	Sessions,
Briggs,	Haire,	Shaw,
Brunson,	Hewitt,	Simpson,
Cady,	Howard,	Smith,
Caplis,	Hoyt,	Speed,
Carter,	Kellogg,	Striker,
Chafey,	Kipp,	Thomas,
Chamberlain,	Lamb,	Thompson,
Climie,	Luce,	Van Aken,
Cobb,	E. R. Miller,	A. Walker,
Curtis,	R. C. Miller,	J. Walker,
Dinturff,	Mitchell,	Walton,
Drake,	Morse,	C. W. Watkins,
Edwards,	O'Dell,	Welker,
Fancher,	Parsons,	West,
Ferguson,	Priest,	Wheeler,
Fey,	Rich,	Withington,
Garfield,	Ripley,	Wixson,
Garvelink,	Robinson,	Zimmerman, 66

#### NAYS.

Mr. Bottomley,	Mr. Harris,	Mr. Markey,
Breitung,	Haywood,	Pierce,
Burns,	Hoar,	Van Scoy,
Drew,	Hosner,	L. Walker,
Gilmore,	Lewis,	Welch,
Goodrich,	Lockwood,	Speaker, 18

Title agreed to.

On motion of Mr. Kipp,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

On motion of Mr. Van Aken,

The House took up the order of

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 155, entitled

A bill authorizing the board of control of the State Public School to purchase additional land for the use of the State Public School,

And to inform the House that the Senate has amended the same by striking out the word "four," in line 2 of section 1, and inserting in lieu thereof the word "five;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Van Aken moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. Greusel,	Mr. Sanderson,
Bonine,	Hewitt,	Scott,
Bottomley,	Hoar,	Sessions,
Breitung,	Hosner,	Shaw,
Brunson,	Howard,	Simpson,

Mr. Burns,	Mr. Hoyt,	Mr. Smith,
Cady,	Kellogg,	Striker,
Caplis,	Kipp,	Thompson,
Chafey,	Lamb,	Van Aken,
Chamberlain,	Lewis,	Van Scoy,
Climie,	Markey,	A. Walker,
Cobb,	E. R. Miller,	J. Walker,
Curtis,	Mitchell,	L. Walker,
Dinturff,	Morse,	Walton,
Drake,	O'Dell,	C. W. Watkins,
Edwards,	Perry,	Welker,
Fancher,	Pierce,	West,
Ferguson,	Priest,	Wheeler,
Garvelink,	Rich,	Withington,
Gilmore,	Ripley,	Wixson,
Gordon,	Robinson,	Zimmerman,
Grant,	Rose,	Speaker,
Green,		

67

## NAYS.

Mr. Ackley,	Mr. Garfield,	Mr. Haywood,
Carter,	Goodrich,	Lockwood,

6

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The House resumed the order of

## THIRD READING OF BILLS.

House bill No. 292, entitled

A bill to convey the title of the State of Michigan, in and to certain estates, to Mary Jane Conroy,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. L. Walker moved that the bill be recommitted to the committee on State affairs and public lands jointly;

Which motion did not prevail.

The bill was then not passed, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Sanderson,
Bartholomew,	Grensel,	Scott,
Bonine,	Harris,	Sessions,
Breitung,	Haywood,	Shaw,



Mr. Briggs,	Mr. Hewitt,	Mr. Simpson,
Brunson,	Hosner,	Smith,
Cady,	Howard,	Speed,
Caplis,	Kellogg,	Striker,
Chafey,	Lewis,	Thomas,
Chamberlain,	Luce,	Thompson,
Climie,	Markey,	Van Aken,
Oobb,	E. R. Miller,	Van Scoy,
Curtis,	R. C. Miller,	A. Walker,
Dinturff,	Mitchell,	J. Walker,
Drew,	O'Dell,	O. W. Watkins,
Edwards,	Parsons,	Welch,
Ferguson,	Perry,	Welker,
Fey,	Priest,	West,
Garfield,	Remer,	Wheeler,
Garvelink,	Robinson,	Withington,
Goodrich,	Rose,	Zimmerman,
Gordon,		

64

## NAYS.

Mr. Bailey,	Mr. Hoyt,	Mr. Rich,
Bottomley,	Kipp,	Ripley,
Buell,	Lamb,	L. Walker,
Burns,	Lockwood,	Walton,
Carter,	Morse,	Wixson,
Drake,	Pierce,	Speaker,
Grant,		

19

House bill No. 355, entitled

A bill to amend section 6, being section 6794, chapter 215, of the compiled laws of 1871, relative to certain liens upon real property,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Rose,
Bailey,	Green,	Sanderson,
Bartholomew,	Greusel,	Scott,
Bonine,	Harris,	Sessions,
Bottomley,	Haywood,	Shaw,
Breitung,	Hosner,	Simpson,
Briggs,	Hoyt,	Smith,
Brunson,	Kellogg,	Speed,
Buell,	Kipp,	Striker,
Burns,	Lamb,	Thomas,

Mr. Cady,	Mr. Lewis,	Mr. Thompson,	
Carter,	Lockwood,	Van Aken,	
Chafey,	Luce,	Van Scoy,	
Chamberlain,	Markey,	A. Walker,	
Olimie,	E. R. Miller,	J. Walker,	
Cobb,	R. C. Miller,	L. Walker,	
Curtis,	Mitchell,	Walton,	
Dinturff,	Morse,	C. W. Watkins,	
Edwards,	O'Dell,	Welch,	
Fancher,	Parsons,	Welker,	
Ferguson,	Perry,	West,	
Fey,	Pierce,	Wheeler,	
Garfield.	Priest,	Withington,	
Garvelink,	Rich,	Wixson,	
Gilmore,	Ripley,	Zimmerman,	
Goodrich,	Robinson,	Speaker,	
Gordon,			79
	NAYS.		0

Title agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Shaw, leave being granted, moved to discharge the committee of the whole from the further consideration of Senate bill No. 214, entitled

A bill to amend section 440 of the compiled laws of 1871, relative to the inventory and collection of the effects of deceased persons;

Which motion prevailed.

On motion of Mr. Shaw,

The bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Grant moved to amend the bill by striking out all of recited section 4407, and inserting in lieu thereof the following:

“(4407.) Sec. 7. The executor or administrator shall be entitled to the possession of the personal estate of the deceased until assignment or distribution of the same to the heirs, legatees, or other persons entitled thereto, by order of the probate court, or until the estate is finally settled. The executor or

administrator shall only be entitled to the possession of the real estate, or any part thereof, under the order and direction of the probate court, and in no case shall he be entitled to such possession until he shall have filed a petition, properly verified, setting forth all the reasons for such possession, and shall also have produced to the court satisfactory proof either that he has served upon all the heirs or legatees of said estate, notice of hearing upon said petition in such manner as the court shall have directed, or that the residence of such heirs or legatees is unknown to him. Upon receiving the petition and proof as aforesaid, the court shall proceed to hear and determine the cause, and shall give to such executor or administrator the possession of only so much of the real estate as the best interests of the estate shall require ;”

Which was agreed to.

On motion of Mr. Grant,

The bill was amended by inserting after the figures “ 1871 ” in section 1, the words “ relative to the inventory and collection of the effects of deceased persons.”

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Sanderson,
Bailey,	Green,	Scott,
Bartholomew,	Harris,	Sessions,
Bonine,	Haywood,	Shaw,
Bottomley,	Hewitt,	Simpson,
Breitung,	Hosner,	Smith,
Brunson,	Howard,	Speed,
Buell,	Hoyt,	Striker,
Burns,	Kellogg,	Thomas,
Caplis,	Kipp,	Thompson,
Carter,	Lamb,	Van Aken,
Chafey,	Lockwood,	Van Scoy,
Chamberlain,	Luce,	A. Walker,
Climie,	E. R. Miller,	J. Walker,
Cobb,	R. O. Miller,	L. Walker,
Curtis,	Morse,	Walton,
Dinturff,	O'Dell,	Welch,

Mr. Drake,	Mr. Parsons,	Mr. Welker,	
Drew,	Perry,	West,	
Edwards,	Pierce,	Wheeler,	
Fancher,	Priest,	Withington,	
Garfield,	Rich,	Wixson,	
Garvelink,	Ripley,	Zimmerman,	
Goodrich,	Robinson,	Speaker,	
Gordon,	Rose,		74
	NAYS.		0

Title agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 192, entitled

A bill to require the publication of the official proceedings of the board of supervisors and county and district canvassers,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Curtis moved to amend the bill by adding at the end of section 1, the following: "*Provided*, That the cost of publishing said proceedings shall not exceed thirty-five cents per folio."

Mr. Caplis demanded the previous question.

The demand was not seconded.

The motion to amend did not prevail.

Mr. Gilmore moved to amend the bill by inserting after the word "published," in line 3, the words, "one of which shall be opposed to the prevailing political party in the county;"

Which was not agreed to.

Mr. L. Walker moved to amend the bill by striking out at the end of the bill, the words "and such printing shall be at the same rate as provided for the publishing of legal notices, in section 7454 of the compiled laws of 1871;"

Which was not agreed to.

On motion of Mr. Curtis,

The further consideration of the bill was indefinitely postponed.

House bill No. 346, entitled

A bill to provide for the appointment of special tax collectors; to provide for a special tax upon persons engaged in the sale of intoxicating and malt liquors; and to repeal chapter 69 of the compiled laws of 1871, entitled "The manufacture and sale of intoxicating drinks as a beverage," and all acts amendatory thereto, and all acts inconsistent with the provisions of this act,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Grant,

The bill was laid on the table.

House bill No. 315, entitled

A bill to revise and amend an act entitled "An act to encourage the erection and support of water-power manufactories," approved March 25, 1865, the same being chapter 221 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Priest,
Bailey,	Gilmore,	Rich,
Breitung,	Gordon,	Rose,
Briggs,	Grant,	Scott,
Brunson,	Green,	Shaw,
Buell,	Harris,	Simpson,
Burns,	Haywood,	Smith,
Cady,	Hewitt,	Speed,
Caplis,	Hosner,	Thompson,
Chafey,	Hoyt,	A. Walker,
Climie,	Kellogg,	C. W. Watkins,
Cobb,	Kipp,	West,
Curtis,	Lewis,	Wheeler,
Dinturff,	R. C. Miller,	Withington,
Drake,	Mitchell,	Wixson,
Eggleston,	Morse,	Zimmerman,
Fancher,	Parsona,	Speaker,
Ferguson,	Perry,	

## NAYS.

Mr. Bonine,  
Bottomley,  
Carter,  
Drew,  
Edwards,  
Garfield,  
Garvelink,  
Goodrich,  
Greusel,  
Howard,

Mr. Lamb,  
Luce,  
Markey,  
O'Dell,  
Pierce,  
Ripley,  
Robinson,  
Sanderson,  
Sessions,

Mr. Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
J. Walker,  
L. Walker,  
Walton,  
Welch,  
Welker,

28

Title agreed to.

Mr. Ferguson moved to reconsider the vote by which the House refused to pass the bill.

Mr. Ferguson moved to lay the motion on the table ;

Which motion did not prevail.

The motion to reconsider did not then prevail.

House bill No. 98, entitled

A bill to amend sections 4, 7, and 9 of "An act entitled an act to provide for County Superintendents of Schools, and to amend sections 91 and repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78 of compiled laws," approved March 13, 1867, and being sections 3759, 3762, and 3764 of the compiled laws of 1871,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,  
Bailey,  
Breitung,  
Briggs,  
Buell,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Climie,

Mr. Ferguson,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,  
Gordon,  
Harris,  
Haywood,  
Hoyt,  
Kellogg,  
Kipp,  
Luce,

Mr. Pierce,  
Priest,  
Rich,  
Ripley,  
Sanderson,  
Scott,  
Speed,  
Thomas,  
Van Aken,  
Van Scoy,  
J. Walker,  
Walton,

Dinturff,  
Drake,  
Drew,  
Edwards,

Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,

C. W. Watkins,  
Welker,  
Wixson,  
Zimmerman, 48

## NAYS.

Mr. Bunine,  
Bottomley,  
Brunson,  
Cobb,  
Curtis,  
Eggleston,  
Fancher,  
Fey,  
Grant,  
Green,  
Greusel,  
Hewitt,  
Hosner,

Mr. Howard,  
Lamb,  
Lewis,  
Lockwood,  
Morse,  
O'Dell,  
Parsons,  
Perry,  
Remer,  
Robinson,  
Rose,  
Sessions,

Mr. Shaw,  
Simpson,  
Smith,  
Striker,  
Thompson,  
A. Walker,  
L. Walker,  
Welch,  
West,  
Wheeler,  
Withington,  
Speaker,

37

House bill No. 250, entitled

A bill to provide for the deposit and safe-keeping of the public moneys belonging to the several counties of the State, and prescribe the duties of the treasurers and boards of supervisors and auditors in relation thereto,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Lewis moved to amend the bill by adding to section 5 the following:

*Provided*, That the provisions of this bill shall apply only to Wayne county;

Which was not agreed to.

On motion of Mr. Perry,

The bill was recommitted to the committee on ways and means with instructions to so amend the bill that it shall apply only to the counties of Allegan and Wayne.

House bill No. 271, entitled

A bill to detach surveyed townships Nos. 19 and 20 north, of range 2 west, from the township of Gladwin, in the county of Gladwin, and attach the same to the township of Grout,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Hoyt moved to amend the bill by adding thereto the following :

*“ Provided, That said township of Grout shall be liable for and shall assume and pay to said township of Gladwin such a part of the present indebtedness of said township of Gladwin (first deducting from such indebtedness the credits now due to said township) as shall bear the same proportion to the entire indebtedness of said township of Gladwin as the assessed valuation of the territory, hereby set off from said township of Gladwin, bears to the entire assessed valuation of said township ;”*

Which was agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Bailey,	Mr. Garvelink,	Mr. Priest,
Bonine,	Gilmore,	Remer,
Breitung,	Gordon,	Rich,
Brigga,	Grant,	Rose,
Brunson,	Green,	Sessions,
Buell,	Grensel,	Shaw,
Burns,	Haywood,	Smith,
Cady,	Hewitt,	Striker,
Caplis,	Hoar,	Thompson,
Chafey,	Hosner,	Van Aken,
Chamberlain,	Lewis,	A. Walker,
Cobb,	Lockwood,	L. Walker,
Curtis,	Markey,	C. W. Watkins,
Drew,	Morse,	Welch,
Fancher,	O'Dell,	Wheeler,
Ferguson,	Pierce,	Wixson, 48

#### NAYS.

Mr. Ackley,	Mr. Hoyt,	Mr. Ripley,
Bottomley,	Kellogg,	Robinson,
Carter,	Kipp,	Sanderson,
Clunie,	Lamb,	Van Scoy,
Dinturff,	Luce,	J. Walker,
Edwards,	E. B. Miller,	Walton,



Mr. Fey, Garfield, Goodrich, Howard,	Mr. R. C. Miller, Parsons, Perry,	Mr. Welker, West, Zimmerman,	28
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House bill No. 369, entitled

A bill to establish a State reformatory,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Speed moved to amend the bill by adding at the end of section 3, the following: "And said commissioners shall also ascertain upon what terms the Detroit House of Correction can be purchased, and report to the Governor in time to report to the next Legislature;"

Which was agreed to.

Mr. J. Walker moved to amend the bill by inserting in line 3 section 3, after the word "Correction," the words "for girls;"

Which was not agreed to.

Mr. Bottomley moved to amend the bill by adding at the end of section 3 the words, "to be located in Port Huron, St. Clair county;"

Which was not agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Bonine, Breitung, Briggs, Brunson, Buell, Burns, Chafey, Chamberlain, Climie, Dinturff, Eggleston, Green, Hoyt, Kellogg,	Mr. Lewis, E. R. Miller, R. C. Miller, Mitchell, Parsons, Remer, Ripley, Robinson, Rose, Sanderson, Scott, Shaw, Simpson,	Mr. Smith, Speed, Striker, Thompson, Van Scoy, A. Walker, J. Walker, L. Walker, Walton, Welch, Welker, West, Speaker,	40
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## NAYS.

Mr. Ackley,  
Bailey,  
Bottomley,  
Cady,  
Caplis,  
Cobb,  
Drake,  
Drew,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,

Mr. Goodrich,  
Gordon,  
Grant,  
Greusel,  
Haywood,  
Hewitt,  
Hoar,  
Howard,  
Kipp,  
Lamb,  
Lockwood,  
Luce,

Mr. Markey,  
Morse,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Rich,  
Thomas,  
C. W. Watkins,  
Withington,  
Wixson,  
Zimmerman, 36

House bill No. 199, entitled

A bill to amend an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869, by adding two new section thereto,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,  
Breitung,  
Briggs,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chamberlain,  
Climie,  
Cobb,  
Curtis,  
Dinturff,  
Drew,  
Fancher,  
Ferguson,

Mr. Fey,  
Garfield,  
Garvelink,  
Gordon,  
Grant,  
Green,  
Harris,  
Hoar,  
Howard,  
E. R. Miller,  
Ripley,  
Robinson,  
Rose,  
Sanderson,  
Scott,

Mr. Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Van Scoy,  
A. Walker,  
J. Walker,  
L. Walker,  
Walton,  
C. W. Watkins,  
West,  
Withington,  
Speaker,

44

## NAYS

Mr. Ackley,  
Bottomley,  
Brunson,  
Chafey,

Mr. Lamb,  
Lewis,  
Lockwood,  
Luce,

Mr. Pierce,  
Priest,  
Remer,  
Rich,

Mr. Eggleston,	Mr. Markey,	Mr. Shaw,
Gilmore,	R. C. Miller,	Thompson,
Goodrich,	Mitchell,	Welch,
Greusel,	Morse,	Welker,
Haywood,	O'Dell,	Wheeler,
Hosner,	Parsons,	Wixson,
Hoyt,	Perry,	Zimmerman,
Kellogg,		34

Mr. Bottomley moved that the House adjourn ; .

Which motion did not prevail.

Senate bill No. 140, entitled .

A bill to amend section 1 of act No. 333 of the session laws of 1869, entitled "An act appropriating certain highway taxes for the improvement of the Ovid and St. Charles State road,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Haywood,	Mr. Priest,
Bottomley,	Hewitt,	Remer,
Breitung,	Hoar,	Ripley,
Brunson,	Hosner,	Rose,
Burns,	Howard,	Scott,
Cady,	Hoyt,	Sessions,
Caplis,	Kellogg,	Shaw,
Carter,	Lamb,	Simpson,
Chafey,	Lewis,	Striker,
Climie,	Lockwood,	Thomas,
Cobb,	Luce,	Thompson,
Curtis,	Markey,	Van Scoy,
Drake,	R. C. Miller,	Welker,
Edwards,	Mitchell,	West,
Fey,	Morse,	Wheeler,
Garfield,	O'Dell,	Withington,
Gordon,	Parsons,	Wixson,
Green,	Perry,	Zimmerman,
Harris,		54

#### NAYS.

Mr. Greusel,	Mr. Smith,	Mr. L. Walker,
Pierce,	A. Walker	Walton,
Robinson,	J. Walker,	C. W. Watkins,
Sanderson,		10

Title agreed to.

## MOTIONS AND RESOLUTIONS.

Mr. Grant moved to discharge the committee of the whole from the further consideration of House bill No. 358, entitled

A bill to amend section 7, being section 4407, chapter 157 of the compiled laws of 1871, relative to inventory and collection of the effects of deceased persons;

Which motion prevailed.

On motion of Mr. Grant,

The bill was laid on the table.

Mr. A. Walker moved to discharge the committee of the whole from the further consideration of House bill No. 233 entitled

A bill to compel railroads of the State of Michigan to use the air-brake upon passenger trains;

Which motion prevailed.

Mr. A. Walker moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. Shaw,

The bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Withington moved to amend the bill by striking out in line 2 section 1, the word "August," and inserting the word "October;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Ripley,
Bailey,	Grant,	Robinson,
Bottomley,	Green,	Rose,
Breitung,	Greusel,	Sanderson,
Briggs,	Harris,	Scott,
Branson,	Haywood,	Sessions,
Buell,	Hewitt,	Shaw,
Burns,	Hoar,	Simpson,
Cady,	Hosner,	Smith,

Mr. Caplis,	Mr. Howard,	Mr. Striker,	
Carter,	Hoyt,	Thomas,	
Chafey,	Kellogg,	Thompson,	
Chamberlain,	Lewis,	Van Scoy,	
Clunie,	Lockwood,	A. Walker,	
Curtis,	Luce,	J. Walker,	
Dinturff,	Markey,	L. Walker,	
Drake,	E. R. Miller,	Walton,	
Drew,	R. C. Miller,	C. W. Watkins,	
Edwards,	Mitchell,	Welch,	
Eggleston,	Morse,	Welker,	
Fancher,	O'Dell,	West,	
Ferguson,	Parsons,	Wheeler,	
Fey,	Perry,	Withington,	
Garfield,	Pierce,	Wixson,	
Garvelink,	Priest,	Zimmerman,	
Gilmore,	Remer,	Speaker. ;	78
Goodrich,	Rich,		
	NAYS.		0

Title agreed to.

Mr. Thomas moved to take from the table House bill No 352, entitled

A bill to compel railroads to connect on equitable terms;  
Which motion prevailed.

On motion of Mr. Thomas,

The bill was placed on the order of third reading.

Mr. Clinie moved that the rules be suspended and that the Clerk be directed to record Mr. C. W. Watkins as voting "yea" on House bill No. 124, entitled

A bill for the incorporation of villages;  
Which motion did not prevail.

Mr. Lockwood moved to take from the table  
House bill No. 372, entitled

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act number 304 of the session laws of 1869, approved April 2, 1869 ;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

Mr. Lockwood moved to take from the table

House bill No. 373, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State Road, and appropriating certain non-resident highway taxes therefor ;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

Mr. Lockwood moved to take from the table House bill No. 374 entitled

A bill for the laying out, establishing, and constructing a State road in the county of Oscoda, and appropriate certain non-resident taxes to construct the same ;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

Mr. Rich moved to take from the table Senate bill No. 153, entitled

A bill to amend sections 1, 2, and 3 of an act entitled "An act to provide for an appeal from the board of school inspectors of any school district to the township board," approved April 5, 1869, being sections 3734, 3735, and 3736 in chapter 136 of the compiled laws of 1871 ;

Which motion prevailed.

The question being on the passage of the bill,

Mr. Gordon demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Brunson,  
Chafey,

Mr. Green,  
Hosner,  
Howard,

Mr. Shaw,  
Simpson,  
Smith,

Mr. Climie,	Mr. Lewis,	Mr. Thomas,
Cobb,	E. R. Miller,	A. Walker,
Drew,	Parsons,	L. Walker,
Edwards,	Perry,	Walton,
Eggleston,	Remer,	West,
Ferguson,	Rich,	Wheeler,
Gilmore,	Ripley,	Withington,
Gordon,	Robinson,	Zimmerman,
Grant,	Rose,	Speaker, 37

NAYS.

Mr. Bailey,	Mr. Goodrich,	Mr. O'Dell,
Bottomley,	Greusel,	Pierce,
Briggs,	Harris,	Priest,
Buell,	Haywood,	Sanderson,
Burns,	Hewitt,	Scott,
Cady,	Hoar,	Sessions,
Caplis,	Hoyt,	Striker,
Carter,	Kellogg,	Thompson,
Curtis,	Lamb,	Van Scoy,
Dintruff,	Luce,	J. Walker,
Drake,	Markey,	Welch,
Fey,	R. C. Miller,	Welker,
Garfield,	Mitchell,	Wixson,
Garvelink,	Morse,	41

Mr. Walton asked and obtained leave of absence for to-morrow.

On motion of Mr. Greusel,  
The House adjourned.

*Lansing, Thursday, April 17, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Cromack.

Roll called : quorum present.

Absent without leave : Messrs. Van Aken, Kipp, Ferguson, and Caplis.

Mr. Perry asked and obtained leave of absence indefinitely.

Mr. Cady asked and obtained leave of absence for Mr. Kipp indefinitely, on account of sickness.

Mr. Welker asked and obtained leave of absence for Mr. Van Aken indefinitely, on account of sickness.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary ;

The majority of committee on judiciary, to whom was referred Senate joint resolution No. 8, entitled

Joint resolution for the appointment of commissioners to prepare a code of procedure, or simplify and abridge the practice, pleadings, and proceedings of the courts of this State;

A majority respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

Your committee are not prepared to dispense with the accumulated wisdom of the eminent jurists and statesmen of the past, and submit the great principal bulwarks designed to protect our rights and liberties to a commission consisting of any number of men, much less two, as provided in this resolution.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

By the minority of the committee on judiciary :

The committee on judiciary to whom was referred Senate joint resolution No. 8, entitled

Joint resolution for the appointment of commissioners to prepare a code of procedure, or simplify and abridge the practice, pleadings, and proceedings of the courts of this State,

Having had the same under consideration, a minority of the committee not concurring with the majority in their recommendation as to the disposition of the resolution, respectfully submits the following report :

The system of practice and pleading in this State is no more nor less than the common law practice, somewhat modified by statutory enactments. In former times, the learned in the law



took good care to surround their work with such intricacies and unintelligible jargon, as to make their *modus operandi* appear mysterious and wonderful, and invariably opposed all such proposed reforms as would tend to enlighten the masses of the people upon the subjects of which they themselves were masters. The modification of the common law practice made by the Legislature of this State, is but a step in the reform that is needed. Our system is substantially the same as that once in vogue in the State of New York—a system that was exchanged for a simpler one—a code, so-called; nearly a quarter of a century ago. The continuance and retention of the new system in the State of New York, and in other States where it has been adopted, proves that it is not only acceptable but preferable, despite the prejudice against its introduction.

The resolution simply contemplates the preparation and submission of something for consideration hereafter, which, if found unsatisfactory, will be rejected; and, believing as we do, that improvement in the present system of legal procedure in this State is still possible, we respectfully recommend that the resolution do pass, and ask to be discharged from the further consideration of the subject.

E. O. ROSE.

Report accepted and committee discharged.

Mr. L. Walker moved that the bill be laid on the table;

Which motion did not prevail.

On motion of Mr. Rose,

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 191, entitled

A bill to amend section 1 of an act entitled "An act to confirm the record of letters of attorneys in certain cases," approved April 17, 1871, being section 4256 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 1 of an act entitled "An act to confirm the record of letters of attorneys in certain cases," approved March 17, 1871, being section 4256 of the compiled laws of 1871, and to add a new section thereto relative to certified copies of deeds, instruments, and letters of attorneys conveying title to real estate, to stand as section 2,

And recommend that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

The object of this substitute is to make letters of attorney, deeds and instruments conveying title to real estate, when duly executed and recorded in the register of deeds, when entitled to be registered in more than one county, and when lost or destroyed by fire or otherwise, upon a certified copy obtained by order of the circuit judge, valid and entitled to be recorded in the county where other lands may be located.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the adoption of the substitute reported by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate manuscript bill entitled

A bill for the relief of Henry Bera, late treasurer of the township of Johnstown, in the county of Barry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garvelink,

The bill was laid on the table.

By the committee on judiciary and municipal corporations :

The committee on judiciary and municipal corporations, to whom was referred Senate bill No. 217, entitled

A bill to fix the liability of cities, townships, and incorporated villages for damages to persons or property occasioned by defective highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW,

*Chairman of Judiciary.*

JOHN J. SPEED,

*Chairman of Municipal Corporations.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on fisheries :

The committee on fisheries, to whom was referred :

A bill to protect certain fish in the waters of Jackson county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the bill be laid on the table and ask to be discharged from the further consideration of the subject.

The committee make the recommendation herewith reported

from the fact that a general law has recently passed both Houses, which in their opinion removes the necessity of the passage of this bill.

E. R. MILLER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

By the committee on mines and minerals :

The committee on mines and minerals, to whom was referred House bill No. 171, entitled

A bill to provide for the raising of specific taxes on copper ore mined in this State by chartered companies, corporations, joint-stock associations, and private individuals,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

The reason of our report is on account of House bill No. 341, which passed the House and Senate, relative to taxing copper.

WM. HARRIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. L. Walker,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on lumber and salt :

The committee on lumber and salt to whom was referred

A bill granting certain privileges to the Ontonagon boom company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

It appears that the only object of this bill is to give an exclusive privilege to a certain boom company. Your com-

mittee think that such legislation would be objectionable under ordinary circumstances, and it does not appear that any good reasons exist in this case.

J. K. LOCKWOOD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Garfield,

The bill was laid on the table.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill No. 245, entitled

A bill to amend section 1 of an act entitled "An act to provide for the payment of the salaries of the State officers," approved April 17, 1871, being section 420 of the compiled laws of 1871 ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred the following bills, viz :

A bill to equalize the valuation of property in fractional school districts, situated in two or more counties ;

Also,

A bill to amend section 54 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon ;

Also,

Senate bill No. 28, entitled

A bill to amend section 166 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1132 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report them back, with the recommendation that they be laid upon the table, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bottomley,

The several named bills were laid on the table.

By the committee on ways and means :

The committee on ways and means, to whom was recommit-  
ted House bill No. 250, entitled

A bill to provide for the deposit and safe-keeping of the public money belonging to several counties of the State, and prescribe the duties of treasurers and boards of supervisors and auditors in relation thereto,

Respectfully report they have had the same under consideration and have directed me to report the same back to the House with the accompanying amendment, as instructed by the House, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Greusel,

The House concurred in the amendments made to the bill  
by the committee.

On motion of Mr. Greusel,

The bill was placed on the order of third reading.

By the committee on State affairs :

The committee on State affairs, to whom was referred Senate joint resolution No. 16, entitled,

Joint resolution directing the Board of State Auditors to settle certain claims of James S. Dewey against the State of Michigan, arising out of the compilation of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

The committee do not understand the claim of Judge Dewey to be for extra compensation for what he agreed to do, but for pay for what he did and furnished, which was not embraced in his contract.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garvelink,

The House concurred in the amendment made to the bill by the committee.

The joint resolution was then referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

Joint resolution authorizing the issue of a patent to Joseph R. Smith, upon school-land certificate No. 1616,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

The object of this resolution is to authorize the Governor to sign and cause to be issued to Joseph R. Smith a patent for certain school land, described in certificate No. 1616. The

necessity of this action of the Legislature being, that the assignment of the certificate from Thos. B. Carpenter to David Thomas, and from Thomas to Smith was not duly acknowledged.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mitchell,

The House concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 57, entitled

A bill relating to the accounting for money received and expended by certain officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 196, entitled

A bill to provide for the appointment of State Historiographer, and for the publication of a documentary history of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*



Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries :

The committee on fisheries, to whom was referred

A bill to provide for the protection of trout, grayling, and other fish in the public and private waters of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be laid on the table, and ask to be discharged from the further consideration of the subject.

Your committee are of the opinion that Senate bill 88 and House bill 179, general laws, passed at this session, obviate the necessity of any further action under this bill.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to amend chapter 43, of the compiled laws of 1871, being an act to protect the title of the owners of floating logs and timber,

Respectfully report that they have had the same under consideration.

The bill proposes to add a new section to chapter 43, providing that if any person under claim of title adversely to the party first marking logs, shall mark the same logs without first commencing suit for them, shall be deemed guilty of a misdemeanor, and punished by fine not to exceed \$500, or imprisonment in the State Prison not to exceed five years,—and that whether he is the real owner of the logs or not; whether he believes himself the real owner or not. The general rule of law is that the owner of personal property may take it wherever he finds it, if he can do so without a breach of the peace,

or he may mark it or exercise any acts of ownership over it, and he is guilty of no crime, not even of a trespass or any wrong ; although there may be other claimants, though it may be in the actual possession of another, and if one takes property under a *bona fide* claim of ownership, he is guilty of no crime, although his claim prove to be invalid.

The committee see no propriety in sending a man to State Prison for marking his own logs, even if some other person has previously marked them, or for marking the logs of another supposing them to be his own. The committee therefore have directed me to report the bill back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Remer,

The bill was laid on the table.

By the committees on religious and benevolent societies and judiciary:

The committees on religious and benevolent societies and judiciary, to whom was jointly referred Senate bill No. 237, entitled

A bill to repeal an act entitled "An act to authorize the Roman Catholic Bishops of Michigan, and their successors in office, to hold property in trust for the use of the church," approved March 27, 1867, being section 3124 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. J. WELKER,

*Chairman Com. on Religious and Benevolent Societies.*

H. A. SHAW,

*Chairman Com. on Judiciary.*

Report accepted and committee discharged.

On motion of Mr. Welker,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on fisheries :

The committee on fisheries, to whom was referred

A bill to prevent fishing with spears during the months of March, April, and May in any of the inland waters of the State ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill be laid on the table, and ask to be discharged from the further consideration of the subject.

Your committee are of the opinion that Senate bill No. 88, a general law passed by this Legislature, has accomplished the object desired in the introduction of this bill, and therefore make the above recommendation.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wixson,

The bill was laid on the table.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to detach certain territory from the townships of Hamtranck and Springwells, and to annex the same to the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JNO. J. SPEED, *Chairman.*

Report accepted and committee discharged.

Mr. Burns moved that the House concur in the amendments made to the bill by the committee.

Mr. Greusel demanded the yeas and nays.

The demand was seconded, and

On motion of Mr. Grant,

The bill was recommitted to the committee on municipal corporations.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 109, entitled

A bill to provide for the education of certain poor persons in the "Michigan Institution for educating the deaf and dumb and the blind ;"

2. House bill No. 155, entitled

A bill authorizing the board of control of the State Public School to purchase additional land for the use of the State Public School,

3. House bill No. 221, entitled

A bill to amend section 1 of an act entitled "An act to incorporate the village of Leslie ;"

4. House bill No. 266, entitled

A bill to amend sections 1 and 6 of an act entitled "An act to authorize the formation of gas-light companies," approved February 12, 1855, and to add a new section thereto, to stand as section 14 ;

Also the following joint resolutions :

5. House joint resolution No. 18, entitled

Joint resolution authorizing the State Board of Control to authorize the issue of State swamp land credits to Henry W. Burley for labor by him performed on the Osceola and Bridgeton State road,

6. House joint resolution No. 22, entitled

Joint resolution for the payment of printing done by R. A. Beal.

C. D. LUCE, *Acting Chairman.*

Report accepted.

By the committee on State Public School:

The committee on State Public School, to whom was referred Senate bill No. 248, entitled

A bill to amend section 15 of an act entitled "An act to establish a State Public School, for dependent and neglected children," approved April 17, 1871, and to add four new sections thereto, to stand as sections 16, 17, 18, and 19,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. LAMB, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to detach certain territory from the townships of Hamtramck and Springwells, and to annex the same to the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. L. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

Mr. Burns moved that the House concur in the adoption of the substitute reported by the committee;

Pending which,

Mr. Buell moved that the bill be recommitted to the committee on municipal corporations;

Pending which,

Mr. Welker moved that the bill be laid on the table;

Which motion did not prevail.

The motion to recommit did not then prevail.

On motion of Mr. Buell,

The substitute reported by the committee was amended by striking out in line 9 the word "forty" and by inserting in lieu thereof the word "eighty."

The question being on concurring in the substitute reported by the committee,

Mr. Grusel demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Rich,
Bartholomew,	Harris,	Ripley,
Bonine,	Haywood,	Robinson,
Breitung,	Hewitt,	Rose,
Brunson,	Hoar,	Sanderson,
Buell,	Howard,	Scott,
Burns,	Hoyt,	Shaw,
Cady,	Lewis,	Speed,
Climie,	Lockwood,	Thompson,
Cobb,	E. R. Miller,	A. Walker,
Cook,	R. C. Miller,	B. Walker,
Dinturff,	Mitchell,	West,
Drew,	Morse,	Withington,
Fancher,	O'Dell,	Wixson,
Fey,	Parsons,	Zimmerman,
Goodrich,	Priest,	Speaker,
Grant,	Remer,	

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#### NAYS.

Mr. Bottomley,	Mr. Green,	Mr. Smith,
Briggs,	Greusel,	Striker,
Carter,	Hertzler,	Thomas,

Mr. Chafey,	Mr. Hosner,	Mr. Van Scoy,	
Chamberlain,	Kellogg,	J. Walker,	
Curtis,	Lamb,	L. Walker,	
Edwards,	Luce,	E. C. Watkins,	
Garfield,	Markey,	Welch,	
Garvelink,	Pierce,	Welker,	
Gilmore,	Sessions,	Wheeler,	30

On motion of Mr. Speed,

The rules were suspended, and the bill was placed on the order of third reading.

#### REPORTS OF SELECT COMMITTEES.

By the special committee appointed to investigate charges preferred against the Grand Trunk Railway Company :

The special committee appointed under a concurrent resolution of the House and Senate, to investigate the management of the Grand Trunk Railway, have performed that duty, and beg leave to make the following report :

Your committee commenced their investigations at the rooms of the Board of Trade, in the city of Detroit, on the 17th of February. Every facility was afforded by the officers of the Company, as well as by the members of the Board of Trade, to make their investigations thorough and complete. The particular grievances complained of, as set forth in the memorial by the Board of Trade, read as follows :

At a special meeting of the Detroit Board of Trade, held on the 23d day of January, 1873, the following preamble and resolutions were unanimously adopted, viz :

**WHEREAS**, For several years past Detroit has experienced great difficulty during the winter months, in obtaining from the Grand Trunk railroad, requisite facilities for the movement of produce eastward, to the great detriment of its commercial interests, and, as we believe, without any good and sufficient reason on the part of the said railroad ; and,

**WHEREAS**, Said railroad having been granted valuable franchises by the State of Michigan, is bound to furnish such facilities,

*Resolved*, That this Board of Trade respectfully petition

the Legislature of this State to appoint a committee from its body, whose duty it shall be to investigate into this matter, and to recommend such legislation, if any, as may afford relief in the premises; and that the Secretary send certified copies thereof to our Senators and Representatives at Lansing.

C. M. GARISON, *President*.

JOS. COLT, *Secretary*.

Your committee did not confine themselves entirely to the consideration of the grievances set forth in this memorial, but extended the range of their investigations so far as to embrace a general inquiry into the manner of dealing with its customers and the public, by the company generally; and also, all matters within their knowledge pertaining to the lawful exercise of its franchises by the corporation.

For this purpose two sessions of your committee were held, and examined a large number of witnesses at Detroit, from which point direct charges were made against the company. The charges against this company, made by the Board of Trade, are narrowed down to two specifications, to wit: 1st, The delay of freight shipped from Detroit; and 2d, The failure of the company to supply a sufficient number of cars awaiting shipment at Detroit.

The testimony seemed to confine both of these charges to the winter season; there being no complaint either of delay or of want of cars during the summer and fall of the year. It appears, also, that the complaints are limited to freights destined to the New England States, and to points in Canada east of Stratford.

In order that the matter may be more fully understood, it is necessary to observe that the Grand Trunk Company's lines of railway in Canada extend from Sarnia, opposite Port Huron; to Buffalo via Stratford; and from the latter point, east to the New England States via Toronto and Montreal. From Sarnia to Buffalo, the company last fall changed the gauge of its road to correspond with those of the Michigan and New York rail-



way roads, so that during the present winter cars from Michigan have passed over it to Buffalo, thus avoiding the transfer of freights and consequent delay at Sarnia. But from Stratford east the wide gauge still exists, which necessitates the transfer of all freight at that point, from the west, shipped upon said road, and destined to New England or to points in Canada east of Stratford. To remedy this difficulty, in part, the company have a limited number of changeable or compromise cars, but not enough to meet the demands that are made upon them, at all times, during the winter months, of their business with New England and points in Canada east of Stratford. The testimony shows that it is the purpose of the company at as early a day as possible to change the gauge of its road from Stratford east, when it is anticipated that all grounds of complaints will be entirely removed; and in fact your committee have learned through the public press that negotiations have been already made for that purpose. All of the witnesses testify to the prompt dispatch during the past winter of all business intrusted to the company on the Buffalo division. As we have already remarked, the complaints are limited to freight destined east by way of Stratford only. With a single exception, the complaints come from the grain and flour dealers of Detroit. This exception was the case of some wool, the shipment of which seem to have been inexcusably delayed: or if there did exist any good excuse for delay, no evidence of it was given to your committee.

The principal merchants, traders, and manufacturers of Detroit did not appear before your committee to sustain, or attempt to sustain, any of the charges against this company. This seems to your committee, by no means, to be an insignificant fact, when it is remembered how grain and flour dealers conduct their business. It is no disparagement to the members of the Board of Trade, who have done so much to develop the domestic commerce of Detroit and the State at large, by creating new facilities of business, and by opening new avenues of trade, to state but what is common business

knowledge, when they say, that those engaged in this business accumulate and hold this class of property, until the eastern market has advanced to a point where they can realize a liberal profit upon their investments, and that they then desire to reach the market at the earliest possible moment.

Looking at this probable condition of things, it is evident that a railroad may not have any considerable business from this class of dealers for weeks together, and then under these pressing circumstances a railroad may be taxed beyond its capacity with freight of this character.

Your committee believe that in this lies in part the secret of the complaints made by these gentlemen of want of cars and delays of freight. There are exceptions, no doubt, but as a general rule the grievances complained of have their origin in these or similar causes. It must be evident to all that a railroad under such circumstances, however well equipped, could be so manned as to meet all demands that might be made upon it by a business relying upon contingencies so uncertain and accidental.

Another additional cause for complaint was the necessity for the transfer of freight at Stratford destined to New England and Canadian points, owing to the different gauge of road from that point together with the severity of the past winter in that latitude, seems to have rendered it impracticable for this company to forward such freight as fast as received. At all events, it appears that freight bound for New England and Eastern Canadian points has accumulated there largely during the past winter. The Canadian company has claimed, and did so claim before your committee, that they could not get rid of the freight for the reasons above stated.

Your committee have no reason to doubt the truth of this explanation, and not deeming that they possessed authority to go beyond the limits of the State in their investigations, they have not visited that locality to examine for themselves. If this explanation be true, the delays of grain and flour shipped on this road for New England and to other points east of

Stratford, are easily accounted for, and the failure to supply cars for further shipment of such freight at Detroit is fully explained. For while the company could not relieve itself of the accumulated freight at Stratford, it would have shown a want of business capacity to have furnished cars for additional freight bound for the same destination. While, therefore, your committee find that there have been instances of failure by this company to supply cars to grain and flour dealers in Detroit and other instances of very great delay in the transportation of freight, they are not satisfied from the evidence taken, that either of these delays have arisen from any neglect of the company. Many, and indeed all of the witnesses on the part of the complainants, who spoke of the matter at all, bore willing testimony of the gentlemanly conduct of the agents of this company; and some of these witnesses spoke in the highest terms of praise of the ability and efficiency, as a railroad manager, of the Superintendent of this division of the Grand Trunk Railroad. It was also freely and frankly testified by the principal of these witnesses, that this company had been quite as prompt in furnishing cars and carrying freight east, as the Great Western Railroad Company and others. In view of these statements particularly, your committee see no good reason to doubt the truth of the explanation made by this company of the matters complained of. Witnesses were examined in regard to the business of all other stations from Detroit to Port Huron, and the testimony was all concurrent that it has been conducted to the entire satisfaction of all who have most to do with the road. It was true that there was a solitary exception at Mt. Clemens, but the testimony showed that it had its origin in a purely private difficulty, and that the company were entirely relieved from any censure in the premises. In conclusion, your committee cannot forget that railroads are conducted and operated at an immense outlay of private capital, for the sole purpose of earning and making money. All railroad companies are therefore inter-

ested to take and convey all the freight that they can get. They are also interested to carry it with dispatch, for this increases their reputation as common carriers, as well as adding to their pecuniary gain. Neither this nor any other company can fail to supply the necessary cars to receive all the freight tendered, nor consume more time in carrying it to its destination than is necessary without loss to itself.

Every consideration of self-interest at least would induce this company as well as all others, to supply cars and to forward freight promptly during the past winter if it could have done so. It may be said that the agents and managers of this company may not be fully alive to this interest which should be the first and paramount object in the management of all railroads. Your committee concede the possibility of this, but they cannot publicly brand these officers as either negligent or incompetent, without much stronger and more convincing proof than that which has been furnished them.

In view of the facts as they appeared to your committee, they would recommend such legislation as to compel all railroads within this State to furnish the means of transportation by suitable cars within a reasonable time for all freight offered to them ; and that no railroad company should be permitted to transport empty cars beyond or past any station when freight or property is known to be awaiting shipment over said railroad ; and that it shall be unlawful for such railroad to send its cars beyond the actual terminus of its railroad where freight at any station on the line of said road or at any railroad crossing connecting with such road at any intermediate point or points is known to be awaiting shipment over or on said road. In coming to the foregoing conclusions, it has been the intention of your committee to keep within the range of the trust committed to their charge, and to make no assumption which was not fully justified by the facts and the evidence in the case.

All of the testimony taken is herewith returned as a part of

this report, and your committee ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

L. T. REMER,

*Chairman of the Joint Committee,*

D. M. RICHARDSON,

ADAM BEATTIE,

FRED. D. WELLS,

*Senate Committee.*

JAMES BURNS,

A. D. GILMORE,

AARON PERRY,

E. O. ROSE,

*House Committee.*

Report accepted and committee discharged.

On motion of Mr. Remer,

The account of the stenographer employed by the special committee on the Grand Trunk railroad was referred to the committee on supplies and expenditures.

By the committee on local bills:

The select committee on local bills have had under consideration

House joint resolution No. 30, entitled .

Joint resolution for the relief of Randolph Strickland,

And respectfully recommend that the bills be taken from the general order and placed on the order of third reading of bills.

J. K. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the recommendation of the committee, and the joint resolution was placed on the order of third reading.

## MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, April 16, 1878. }

*To the House of Representatives:*

I have this day approved, signed, and deposited with the Secretary of State, the following entitled acts:

1. An act to incorporate the village of Deerfield;
2. An act to provide for the incorporation of mutual fire insurance companies;
3. An act to provide for the laying out and constructing a State road in the county of Lapeer;
4. An act to amend sections 35 and 37, chapter 215, relative to certain liens upon personal property;
5. An act to provide for appeals to the Supreme Court in certain cases;
6. An act to amend section 4725 of the compiled laws of 1871, relative to marriage and the solemnization thereof;
7. An act to amend section 5 of an act entitled "An act to protect fish and preserve the fisheries of this State;"
8. An act to provide for recording certain evidence concerning titles to land;
9. An act to amend section 496 of the compiled laws of 1871, entitled "Boards of Supervisors;"
10. An act to provide for the appraisal and sale of the balance of section 16, in town 2 north, of range 3 west, in the county of Eaton;
11. An act to amend section 68 of an act to provide for a uniform assessment of property, etc., approved April 6, 1869;
12. Joint resolution relative to the State Library.

JOHN J. BAGLEY.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
Lansing, April 12, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House manuscript bill entitled

A bill to re-incorporate the village of Fowlerville,

And to inform the House that the Senate has amended the same by striking out the word “regulate,” in line 23 of section 1, of chapter 10; also, by striking out the word “prohibit,” in line 27, of same section; also, by striking out all of 13th subdivision of section 1, of chapter 10, after the word “houses;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Dinturff moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Scott,
Bartholomew,	Haywood,	Sessions,
Bonine,	Hertzler,	Shaw,
Brunson,	Hewitt,	Simpson,
Burns,	Howard,	Smith,
Cady,	Hoyt,	Speed,
Caplis,	Kellogg,	Striker,
Chafey,	Lamb,	Thomas,
Chamberlain,	Lewis,	Thompson,
Climie,	Lockwood,	Van Scoy,
Cobb,	Markey,	A. Walker,
Cook,	E. R. Miller,	B. Walker,

Mr. Dinturff,	Mr. R. C. Miller,	Mr. J. Walker,
Drake,	Mitchell,	E. C. Watkins,
Fancher,	Morse,	Welch,
Fey,	O'Dell,	Welker,
Garfield,	Parsons,	West,
Garvelink,	Pierce,	Wheeler,
Gilmore,	Priest,	Withington,
Goodrich,	Ripley,	Wixson,
Grant,	Robinson,	Zimmerman,
Green,	Sanderson,	Speaker, 66

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, April 16, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to re-return to the House the following bill :

House bill No. 185, entitled

A bill to amend section one of an act entitled "An act to create a soldiers' aid fund for disabled Michigan soldiers, sailors, and marines, and Michigan men who served in the late war in other State organizations, or in the forces of the United States," the same being section 960, chapter 20, of the compiled laws of 1871,"

Which the Senate amended by striking out in line 1 of section 1 the word "five" and inserting in lieu thereof the word "seven."

In which amendment the House non-concurred.

And to inform the House that the Senate has receded from said amendment.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :



SENATE CHAMBER, }  
*Lansing, April 16, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 134, entitled

A bill to amend section 1 of an act entitled “An act to incorporate the city of Niles,” approved February 12, 1859, as amended by section 1 of an act entitled “An act to amend an act entitled ‘An act to incorporate the city of Niles,’ ” approved February 12, 1859, approved March 16, 1867 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 286, entitled

A bill to regulate the transportation of nitro-glycerine and other explosive substances ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect and has ordered the same to take effect on the 15th day of May, 1873, by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Shaw moved to reconsider the vote by which the House ordered the bill to take immediate effect ;

Which motion prevailed.

The question being on ordering the bill to take immediate effect,

Mr. Shaw moved to amend by ordering the bill to take effect on the 15th day of May, 1873 ;

Which motion prevailed.

The bill was then, by a two-thirds vote of all the members elect, ordered to take effect on the 15th day of May, 1873.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 16, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 48, entitled

A bill relative to the service of process upon insurance companies not incorporated under the laws of this State ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committees on judiciary and insurance jointly,

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 16, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 314, entitled

A bill to establish a uniformity of text-books in the public schools of Berrien county,

And to inform the House that the Senate has amended the same as follows:

1. By inserting in line 2 of section 3, after the word "leading," the word "weekly;"

2. By striking out in line 15 all after the word "county;"

3. By adding to section 9 the following:

"And no fractional school district embracing territory in two or more counties shall be subject to its operation, unless the school-house of such fractional district is situated in the county in which such uniformity of text-books is adopted ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. West moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Priest,
Bartholomew,	Grant,	Robinson,
Bonine,	Green,	Sanderson,
Briggs,	Greusel,	Scott,
Brunson,	Haire,	Sessions.
Buell,	Haywood,	Shaw,
Cady,	Hertzler,	Simpson,
Caplia,	Hewitt,	Smith,
Carter,	Hoar,	Striker,
Chafey,	Hosner,	Thomas,
Chamberlain,	Howard,	Thompson,
Climie,	Hoyt,	Van Scoy,
Cobb,	Lamb,	A. Walker,
Cook,	Lewis,	B. Walker,
Curtia,	Lockwood,	J. Walker,

Mr. Dinturff,  
Drake,  
Drew,  
Edwards,  
Fey,  
Garfield,  
Garvelink,  
Goodrich,

Mr. Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Morse,  
O'Dell,  
Pierce,

Mr. L. Walker,  
E. C. Watkins,  
Welch,  
West,  
Wheeler,  
Withington,  
Zimmerman,

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## NAYS.

Mr. Kellogg,

Mr. Wixson,

2

On motion of Mr. West,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 151, entitled

A bill to provide for the removal of attachments, the same being a new section to chapter 201 of the compiled laws of 1871, being an act relative to "proceedings against debtors by attachment," to stand as section 32,

And to inform the House that the Senate has amended the same by inserting after the word "assigns" in line 4 of section 1, the word "duly;" also by striking out all after the word "acknowledged" to and including the word "attached" in line 5;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. R. C. Miller moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robinson,
Bartholomew,	Greusel,	Sanderson,
Bottomley,	Haire,	Scott,
Briggs,	Haywood,	Sessions,
Brunson,	Hertzler,	Simpson,
Buell,	Hewitt,	Smith,
Burns,	Hoar,	Speed,
Cady,	Hosner,	Striker,
Caplis,	Howard,	Thomas,
Carter,	Hoyt,	Thompson,
Chafey,	Kellogg,	Van Scoy,
Chamberlain,	Lamb,	A. Walker,
Climie,	Lewis,	B. Walker,
Cobb,	Luce,	L. Walker,
Cook,	Markey,	E. C. Watkins,
Curtis,	E. R. Miller,	Welch,
Dinturff,	R. O. Miller,	Welker,
Drake,	Mitchell,	West,
Drew,	Morse,	Wheeler,
Edwards,	O'Dell,	Withington,
Garfield,	Pierce,	Wixson,
Garvelink,	Priest,	Zimmerman,
Goodrich,	Rich,	Speaker,
Grant,	Rose,	

71

## NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 16, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 285, entitled

A bill to amend section 45 of chapter 46, being section 1736 of the compiled laws of 1871, relative to small-pox and other contagious diseases ;

In the passage of which the Senate has non-concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Brunson,  
The bill was laid on the table.

The Speaker also announced the following: .

SENATE CHAMBER, }  
*Lansing, April 16, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 113, entitled

A bill to amend act No. 154 of the session laws of 1871 entitled "An act to amend section 1 of an act entitled 'An act to authorize proceedings by garnishment in the circuit courts and in the district court of the Upper Peninsula,' approved March 16, 1861," being section 6465 of the compiled laws of 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved* (the House concurring), That a committee, consisting of two on the part of the Senate and three on the part of the House, be appointed to examine into and investigate the matters set forth in the message of his Excellency the Governor, with respect to the alleged frauds and fraudulent transactions that have heretofore taken place in the office of

the Commissioner of the State Land Office; and that such committee have full power to send for persons and papers, examine witnesses, and take all such measures in respect to such alleged frauds and fraudulent transactions as may be necessary to a full and complete investigation thereof. And that said committee also have authority to sit for such examination after the adjournment of the Legislature, in case the committee cannot complete said investigation before the adjournment thereof, and that they report to the Legislature the testimony taken by them, with their opinion thereon, as speedily as possible; and in case the Legislature are not in session when such committee are ready to report, then in such case said committee shall report to the Governor;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The question being on concurring in the resolution,

Mr. Gilmore moved to amend the resolution by adding at the end thereof the following:

“And the Clerk of the House is hereby made clerk of the said joint committee;”

Which motion prevailed.

The resolution, as amended, was then adopted.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

House bill No. 223, entitled

A bill to legalize the proceedings of the township of Tawas and Grant, in Iosco county, in aiding in the construction of the Tawas City and Grant plank road;

And to inform the House that the Senate has amended the same by adding to section 1 the following:

*Provided*, That nothing in this act shall be so construed as to create any debt or liability against the township of Baldwin, in the said county of Iosco; or construed to legalize any tax or proceeding designed to aid in the construction of said Tawas City and Grant plank road, so far as the same shall or can affect the said township of Baldwin;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAS. H. STONE,

*Secretary of the Senate.*

Mr. Haywood moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,
Bartholomew,	Green,	Rose,
Bonine,	Greusel,	Sanderson,
Bottomley,	Haire,	Scott,
Briggs,	Haywood,	Sessions,
Brunson,	Hertzler,	Shaw,
Buell,	Hewitt,	Simpson,
Burns,	Hoar,	Smith,
Cady,	Hosner,	Speed,
Caplis,	Howard,	Striker,
Carter,	Hoyt,	Thomas,
Chafey,	Kellogg,	Thompson,
Chamberlain,	Lewis,	A. Walker,
Climie,	Markey,	B. Walker,
Cobb,	R. C. Miller,	J. Walker,
Curtis,	Mitchell,	E. C. Watkins,
Dinturff,	Morse,	Welch,
Drake,	O'Dell,	Welker,
Drew,	Pierce,	West,
Edwards,	Priest,	Withington,
Fancher,	Remer,	Wixson,
Fey,	Rich,	Speaker,
Garfield,	Ripley,	



## NAYS.

Mr. Gilmore, Mr. Luce, Mr. L. Walker, 3

On motion of Mr. J. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 15, 1873. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to re-transmit the following bill :

Senate bill No. 109, entitled

A bill to facilitate the collection of recognizances in criminal cases ;

Which the House amended by striking out the word "twenty" in line 9 of section 1 and inserting "ten" in lieu thereof ; also by striking out section 2 ;

And to inform the House that the Senate has non-concurred in said amendments.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Buell moved that the House insist on the amendments made by the House to the bill ;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Bartholomew,	Greusel,	Robinson,
Bonine,	Haywood,	Sanderson,
Bottomley,	Hewitt,	Scott,
Breitung,	Hoar,	Sessions,
Brunson,	Hosner,	Simpson,
Buell,	Howard,	Smith,
Burns,	Kellogg,	Striker,
Cady,	Lamb,	Thomas,
Carter,	Lewis,	Thompson,

Mr. Climie,	Mr. Lockwood,	Mr. Van Scoy,
Cook,	Luce,	A. Walker,
Curtis,	Markey,	B. Walker,
Dinturff,	R. C. Miller,	J. Walker,
Drake,	Mitchell,	L. Walker,
Drew,	Morse,	E. C. Watkins,
Edwards,	O'Dell,	Welch,
Fancher,	Parsons,	Welker,
Fey,	Pierce,	West,
Garfield,	Priest,	Wixson,
Garvelink,	Remer,	Speaker,
Goodrich,	Rich,	

65

## NAYS.

Mr. Briggs,	Mr. Grant,	Mr. Rose,
Chafey,	Haire,	Shaw,
Chamberlain,	Hoyt,	Speed,
Cobb,	E. R. Miller,	Withington,
Gilmore,		

13

Mr. Grant moved that a committee of three be appointed on the part of the House, to act with a like committee on the part of the Senate, relative to the disagreement existing between the two Houses, relative to the bill ;

Which motion prevailed.

The Speaker announced as such committee on the part of the House, Messrs. Grant, L. Walker, and Cobb.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 15, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 130, entitled

A bill to repeal the second proviso of section 1 of chapter 26 of the compiled laws of 1871 (page 439), relative to the laying out of highways through orchards,

And to inform the House that the Senate has amended the title of the same so as to read as follows :

A bill to amend section 1 of chapter 26 of the compiled laws of 1871, " Relative to laying out, altering, and discontinuing highways ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendment made to the title of the bill by the Senate;

Which motion prevailed.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, April 16, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 124, entitled

A bill to provide for the incorporation of a State, county, or municipal historical, biographical, and geographical societies;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on private corporations.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 16, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to re-return to the House the following bill:

House bill No. 167, entitled

A bill to amend sections 2 and 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws of 1871, and to authorize the salary of judges of probate," approved February 15, 1859, being sections 7436 and 7439 of the compiled laws of 1871 ;

Relative to which there was a disagreement between the two Houses, and a committee of conference appointed ;

And for which bill the committee of conference reported a substitute that was adopted by the House, and to inform the House that the Senate has concurred in the adoption of said substitute by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 16, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 99, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor ;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 15, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 7, entitled

Joint resolution asking Congress to provide for the early construction of a Niagara Falls Ship Canal,

And to inform the House that the Senate has amended the same as follows :

1. By striking out in line 1 of the first resolution, the words “at its present session ;”

2. By striking out in lines 1 and 2, the words “to the President of the United States ;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Haire moved that the House concur in the amendments made to the joint resolution by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Rich,
Bartholomew,	Green,	Robinson,
Bonine,	Greusel,	Sanderson,
Bottomley,	Haire,	Scott,
Briggs,	Harris,	Sessions,
Brunson,	Haywood,	Shaw,
Buell,	Hertzler,	Simpson,
Burns,	Hewitt,	Smith,
Cady,	Hoar,	Speed,
Carter,	Hosner,	Thomas,
Chafey,	Hoyt,	Thompson,
Chamberlain,	Kellogg,	Van Scoy,

Mr. Climie,	Mr. Lamb,	Mr. A. Walker,	
Cobb,	Lewis,	B. Walker,	
Cook,	Lockwood,	J. Walker,	
Curtis,	Luce,	L. Walker,	
Dinturff,	E. R. Miller,	E. C. Watkins,	
Drake,	R. C. Miller,	Welch,	
Drew,	Mitchell,	Welker,	
Edwards,	Morse,	West,	
Fancher,	O'Dell,	Wheeler,	
Fey,	Parsons,	Withington,	
Garfield,	Pierce,	Wixson,	
Garvelink,	Priest,	Zimmerman,	
Goodrich,			73

NAYS.

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The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following:

1. House bill No. 310, entitled

A bill to amend section 71 of chapter 136 of the compiled laws of 1871, relative to the formation of school districts, and being section 3641 of the compiled laws of 1871;

2. House bill No. 303, entitled

A bill to correct and legalize the deeds, mortgages, and contracts executed by and to the First Methodist Episcopal Church in the city of Grand Rapids;

3. House bill No. 61, entitled

A bill to amend sections 5657 and 5658 of the compiled laws of 1871, being sections 7 and 8 of an act entitled "An act to provide for the appointment of a State reporter," approved April 17, 1871;

4. House bill No. 260, entitled

A bill to amend section 23 of chapter 163 of the revised statutes of 1846, being section 2865, in chapter 259 of the com-

piled laws, entitled "The arrest and examination of offenders, commitment for trial and taking bail ;"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 15, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 152, entitled

A bill to relieve mining corporations and their officers in the Upper Peninsula, who have failed to make their reports and returns as required by law ;

And to inform the House that the Senate has amended the same by striking out section 2 ; also, by adding to section 1 the following : " But the relief afforded such corporations by this act, shall not release them from the payment of any general or specific taxes to which they have become or may become liable under any law of this State, nor from the operation of any law now in force for the estimate or collection of such taxes or providing for interest or penalty for delay in the payment thereof. Nor shall the stockholders, directors, or other officers of such mining corporations be released or relieved from any individual liability which they or either of them may have incurred by reason of such failure on the part of such mining corporations, their directors and officers, to make such reports and returns as aforesaid ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and

has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Priest moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr Grant,	Mr. Sanderson,
Bartholomew,	Green,	Scott,
Bottomley,	Haire,	Sessions,
Briggs,	Harris,	Shaw,
Buell,	Haywood,	Simpson,
Burns,	Hewitt,	Smith,
Cady,	Hoar,	Striker,
Carter,	Kellogg,	Thompson,
Chafey,	Lewis,	Van Scoy,
Chamberlain,	Lockwood,	A. Walker,
Climie,	E. R. Miller,	B. Walker,
Cook,	R. C. Miller,	J. Walker,
Curtis,	Morse,	L. Walker,
Dinturff,	O'Dell,	E. C. Watkins,
Drake,	Parsons,	Welch,
Drew,	Pierce,	Welker,
Fancher,	Priest,	Wheeler,
Fey,	Rich,	Withington,
Garfield,	Ripley,	Wixson,
Garvelink,	Robinson,	Zimmerman, 60

NAYS.

Mr. Edwards,	Mr. Hoyt,	Mr. Luce,
Greusel,	Lamb,	Markey,
Howard,		

7

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Greusel, leave being granted, moved to discharge the committee on municipal corporations from the further consideration of

A bill to confer certain powers upon the board of county auditors for the county of Wayne ;

Which motion prevailed.



On motion of Mr. Greusel,

The bill was placed on the order of third reading.

Mr. Hoyt moved to reconsider the vote by which the House refused to pass House bill No. 292, entitled

A bill to convey the title of the State of Michigan, in and to certain estates, to Mary Jane Conroy ;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Caplis,

The bill was recommitted to the committee on public lands.

#### THIRD READING OF BILLS.

House bill No. 352, entitled

A bill to compel railroads to connect on equitable terms,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. E. C. Watkins,

The bill was laid on the table.

House bill No. 372, entitled

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act number 304 of the session laws of 1869, approved April 2, 1869,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Hoyt,

The House took a recess until 2 o'clock this afternoon.

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#### AFTERNOON SESSION.

*2 o'clock P. M.*

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

## THIRD READING OF BILLS.

The House resumed the consideration of House bill No. 372, entitled,

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act No. 304 of the session laws of 1869, approved April 2, 1869.

The bill having been read a third time, and the question being upon its passage,

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Morse,
Bottomley,	Gordon,	Priest,
Breitung,	Green,	Remer,
Brunson,	Haire,	Ripley,
Buell,	Harris,	Rose,
Burns,	Haywood,	Sessions,
Cady,	Hertzler,	Shaw,
Caplis,	Hoar,	Simpson,
Climie,	Hosner,	Speed,
Cobb,	Howard,	E. C. Watkins,
Cook,	Hoyt,	Welch,
Curtis,	Kellogg,	Welker,
Drake,	Lamb,	West,
Drew,	Lewis,	Wheeler,
Edwards,	Lockwood,	Withington,
Fey,	R. C. Miller,	Wixson,
Garfield,	Mitchell,	Zimmerman, 51

## NAYS.

Mr. Bartholomew,	Mr. Luce,	Mr. Smith,
Carter,	Markey,	Striker,
Chafey,	E. B. Miller,	Thompson,
Chamberlain,	O'Dell,	Van Scoy,
Dinturff,	Parsons,	A. Walker,
Garvelink,	Pierce,	B. Walker,
Gilmore,	Robinson,	J. Walker,
Greusel,	Sanderson,	L. Walker,
Hewitt,		

25

Title agreed to.

On motion of Mr. Sessions,  
The House took up the order of

## REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands, to whom was re-referred  
House bill No. 292, entitled

A bill to convey the title of the State of Michigan, in and to  
certain estates, to Mary Jane Conroy,

Respectfully report that they have had the same under con-  
sideration, and have directed me to report the same back to  
the House, with the accompanying amendment, and recom-  
mend that the amendment be concurred in, and that the bill,  
when so amended, do pass, and ask to be discharged from the  
further consideration of the subject.

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Caplis,

The House concurred in the amendment made to the bill  
by the committee.

On motion of Mr. Sessions,

The bill was then placed on the order of third reading.

Mr. Bottomley, leave being granted, moved to discharge the  
committee of the whole from the further consideration of  
House bill No. 93, entitled

A bill to authorize railroad companies to convey their fran-  
chises and property, under certain circumstances ;

Which motion prevailed.

On motion of Mr. Bottomley,

The bill was placed on the order of third reading.

Mr. Shaw moved that there be a call of the House ;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and no  
members were reported absent without leave.

On motion of Mr. Bottomley,

All further proceedings under the call were dispensed with  
The House resumed the order of

### THIRD READING OF BILLS.

House bill No. 373, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, and appropriating certain non-resident highway taxes therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

<b>Mr. Ackley,</b>	<b>Mr. Garfield,</b>	<b>Mr. Mitchell,</b>
Bonine,	Goodrich,	Morse,
Bottomley,	Gordon,	Priest,
Breitung,	Green,	Remer,
Brunson.	Haire,	Ripley,
Buell,	Harris,	Rose,
Burns,	Haywood,	Scott,
Cady,	Hertzler,	Shaw,
Caplis,	Hoar,	Simpson,
Climie,	Hosner,	Speed,
Cobb,	Howard,	E. C. Watkins,
Cook,	Hoyt,	Welker,
Curtis,	Kellogg,	West,
Drake,	Lamb,	Wheeler,
Drew,	Lewis,	Withington,
Edwards,	Lockwood,	Wixson,
Fey,	R. U. Miller,	Zimmerman, 51

### NAYS.

<b>Mr. Bartholomew,</b>	<b>Mr. Hewitt,</b>	<b>Mr. Sessions,</b>
Briggs,	Luce,	Smith,
Carter,	Markey,	Striker,
Chafey,	E. R. Miller,	Thomas,
Chamberlain,	O'Dell,	Thompson,
Dinturff,	Parsons,	Van Scoy,
Funcher,	Pierce,	A. Walker,
Garvelink,	Rich,	B. Walker,
Gilmore,	Robinson,	J. Walker,
Grant,	Sanderson,	L. Walker,
Greusel,		

31

Title agreed to.

## House bill No. 374, entitled

A bill for laying out, establishing, and constructing a State road in the county of Oscoda, and appropriating certain non-resident taxes to construct the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Pierce,
Bottomley,	Green,	Priest,
Breitung,	Haire,	Remer,
Brunson,	Harris,	Ripley,
Buell,	Haywood,	Rose,
Burns,	Hertzler,	Scott,
Cady,	Hoar,	Shaw,
Caplis,	Hosner,	Simpson,
Climie,	Howard,	Speed,
Cobb,	Hoyt,	Thomas,
Cook,	Kellogg,	E. C. Watkins,
Curtis,	Lamb,	Welch,
Drake,	Lewis,	Welker,
Drew,	Lockwood,	West,
Edwards,	Markey,	Wheeler,
Eggleston,	R. C. Miller,	Withington,
Fey,	Mitchell,	Wixson,
Garfield,	Morse,	Zimmerman.
Goedrich,		

55

## NAYS.

Mr. Bartholomew,	Mr. Grant,	Mr. Sessions,
Bonine,	Greusel,	Smith,
Briggs,	Hewitt,	Striker,
Carter,	Luce,	Thompson,
Chafey,	E. R. Miller,	Van Scoy,
Chamberlain,	O'Dell,	A. Walker,
Dinturff,	Parsons,	B. Walker,
Fancher,	Rich,	J. Walker,
Garvelink,	Robinson,	L. Walker,
Gilmore,	Sanderson.	

29

Title agreed to.

## House bill No. 171, entitled

A bill to provide for the raising of specific taxes on copper ore mined in this State by chartered companies, corporations, joint stock associations, and private individuals,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Hoar,

The further consideration of the bill was indefinitely postponed.

House bill No. 250, entitled

A bill to provide for the deposit and safe-keeping of the public moneys belonging to the several counties of the State, and prescribe the duties of the treasurers and boards of supervisors and auditors in relation thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Grensel,	Mr. Rose,
Bartholomew,	Haire,	Scott,
Bottomley,	Hertzler,	Sessions,
Breitung,	Hewitt,	Shaw,
Brunson,	Hosner,	Simpson,
Cady,	Howard,	Smith,
Caplis,	Hoyt,	Speed,
Carter,	Kellogg,	Striker,
Chafey,	Lamb,	Thomas,
Cobb,	Lewis,	Thompson,
Cook,	Lockwood,	Van Scoy,
Drake,	Luce,	B. Walker,
Drew,	E. R. Miller,	J. Walker,
Edwards,	R. C. Miller,	L. Walker,
Eggleston,	Mitchell,	E. C. Watkins,
Fancher,	Morse,	Welch,
Fey,	Parsons,	Welker,
Garfield,	Pierce,	West,
Garvelink,	Priest,	Wheeler,
Gilmore,	Remer,	Withington,
Goodrich,	Rich,	Wixon,
Grant,	Robinson,	Speaker,
Green,		

67

#### NAYS.

Mr. Chamberlain,	Mr. Markey,	Mr. Ripley,	3
Title agreed to.			

Senate bill No. 237, entitled

A bill to repeal an act entitled "An act to authorize the

Roman Catholic bishops of Michigan and their successors in office to hold property in trust for the use of the church,' approved March 27, 1867, being section 3124 of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Welker moved to amend the bill by adding to the bill the following :

*" Provided, That any Roman Catholic Bishop of Michigan, who now holds property in trust for such church, shall elect a board of trustees, or otherwise become incorporate under the laws of this State, shall transfer to such organization all property held by him in trust for the use of such church."*

Mr. West moved to amend the amendment by adding thereto the words " which transfer shall occur within one year from the passage of this act."

Which was withdrawn.

The original amendment was then withdrawn.

Mr. Welker moved that the bill be referred to the committee of the whole and placed on the general order ;

Pending which,

On motion of Mr. Withington,

The bill was laid on the table.

House manuscript bill, entitled

A bill to detach certain territory from the townships of Hamtramck and Springwells, and to annex the same to the city of Detroit,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Welch demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Bartholomew,

Mr. Grant,  
Haire,

Mr. Rich,  
Ripley,

<b>Mr. Bonine,</b>	<b>Mr. Harris,</b>	<b>Mr. Robinson,</b>
Bottomley,	Haywood,	Rose,
Breitung,	Hewitt,	Sanderson,
Brunson,	Hoar,	Sessions,
Buell,	Howard,	Shaw,
Burns,	Hoyt,	Speed,
Cady,	Lewis,	Striker,
Caplis,	Lockwood,	Thompson,
Climie,	E. R. Miller,	Van Scoy,
Cobb,	R. O. Miller,	A. Walker,
Cook,	Mitchell,	B. Walker,
Dinturff,	Morse,	L. Walker,
Drew,	O'Dell,	West,
Eggleston,	Parsons,	Withington,
Fancher,	Priest,	Zimmerman,
Fey,	Bemer,	Speaker,
Goodrich,		

55

## NAYS.

<b>Mr. Bailey,</b>	<b>Mr. Gilmore,</b>	<b>Mr. Pierce,</b>
Briggs,	Gordon,	Simpson,
Carter,	Green,	Smith,
Chafey,	Greusel,	Thomas,
Chamberlain,	Hertzler,	J. Walker,
Curtis,	Hosner,	E. C. Watkins,
Drake,	Kellogg,	Welch,
Edwards,	Lamb,	Welker,
Garfield,	Luce,	Wheeler,
Garvelink,	Markey,	Wixson,

30

Title agreed to.

Mr. Caplis moved to reconsider the vote by which the House passed the bill.

On motion of Mr. Caplis,

The motion to reconsider was laid on the table.

House joint resolution No. 30, entitled

Joint resolution for the relief of Randolph Strickland,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Grant,

The joint resolution was amended by inserting aft their word "Commissioner," in line 3 of the preamble, the words "claims to have."



The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Pierce,
Bottomley,	Green,	Priest,
Briggs,	Grensel,	Ripley,
Brunson,	Haire,	Rose,
Buell,	Harris,	Scott,
Burns,	Haywood,	Sessions,
Cady,	Hertzler,	Shaw,
Caplis,	Hewitt,	Simpson,
Climie,	Hoar,	Speed,
Cobb,	Hosner,	Striker,
Cook,	Howard,	Van Scoy,
Curtis,	Hoyt,	A. Walker,
Drew,	Kellogg,	B. Walker,
Edwards,	Markey,	L. Walker,
Fancher,	E. R. Miller,	Welker,
Fey,	Mitchell,	Wheeler,
Garfield,	Morse,	Withington,
Garvelink,	Parsons,	

53

## NAYS.

Mr. Bartholomew,	Mr. Lamb,	Mr. Sanderson,
Bonine,	Lewis,	Smith,
Breitung,	Lockwood,	Thompson,
Carter,	Luce,	J. Walker,
Chafey,	R. C. Miller,	E. C. Watkins,
Dinturff,	O'Dell,	Welch,
Drake,	Remer,	Wixson,
Gilmore,	Rich,	Zimmerman,
Goodrich,	Robinson,	

26

Title and preamble agreed to.

Mr. Lockwood moved to reconsider the vote by which the House refused to pass House bill No. 98, entitled

A bill to amend sections 4, 7, and 9 of "An act entitled an act to provide for a County Superintendent of Schools, and to amend section 91 and repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78 of compiled laws," approved March 13 1867, and being sections 3759, 3762, and 3764 of compiled laws of 1871.

Mr. Morse moved to lay the motion to reconsider on the table;

Which motion did not prevail.

The motion to reconsider did not then prevail.

Mr. Lamb moved to reconsider the vote by which the House refused to pass House bill No. 199, entitled

A bill to amend an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved April 6, 1869, by adding two new sections thereto;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rich,
Bartholomew,	Haire,	Ripley,
Bonine,	Harris,	Robinson,
Bottomley,	Haywood,	Rose,
Breitung,	Hertzler,	Sanderson,
Brunson,	Hewitt,	Scott,
Cady,	Hoar,	Sessions,
Caplis,	Hosner,	Shaw,
Carter,	Howard,	Simpson,
Chafey,	Hoyt,	Smith,
Chamberlain,	Kellogg,	Speed,
Climie,	Lamb,	Thomas,
Cobb,	Lewis,	Thompson,
Cook,	Luce,	A. Walker,
Curtis,	Markey,	B. Walker,
Dinturff,	E. R. Miller,	J. Walker,
Drake,	R. C. Miller,	L. Walker,
Edwards,	Mitchell,	Welch,
Eggleston,	Morse,	West,
Fancher,	O'Dell,	Wheeler,
Fay,	Parsons,	Withington,
Garfield,	Pierce,	Wixson,
Garvelink,	Priest,	Zimmerman,
Gilmore,	Remer,	Speaker.
Grant,		

#### NAYS.

Mr. Drew,	Mr. Greusel,	Mr. Striker,
Goodrich,	Lockwood,	

The question being on agreeing to the title,

Mr. Speed moved to amend the title by striking out the word "two" and inserting "one" in lieu thereof;

Which motion prevailed.

The title as amended was then agreed to.

Mr. Grant moved to reconsider the vote by which the House refused to pass House bill No. 77, entitled

A bill to make an appropriation in aid of the Michigan State Pomological Society;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then not passed, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Ripley,
Bailey,	Grant,	Robinson,
Bartholomew,	Haire,	Rose,
Bonine,	Harris,	Sanderson,
Bottomley,	Haywood,	Scott,
Breitung,	Hertzler,	Sessions,
Briggs,	Hoar,	Shaw,
Brunson,	Hosner,	Simpson,
Burns,	Howard,	Smith,
Cady,	Hoyt,	Speed,
Caplis,	Kellogg,	Thompson,
Carter,	Lewis,	A. Walker,
Chamberlain,	Lockwood,	B. Walker,
Climie,	R. C. Miller,	L. Walker,
Cobb,	Mitchell,	E. C. Watkins,
Curtis,	Morse,	Welch,
Edwards,	Parsons,	Welker,
Eggleston,	Pierce,	West,
Fancher,	Priest,	Wheeler,
Fey,	Rich,	Speaker.
Garfield,		

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#### NAYS.

Mr. Chafey,	Mr. Green,	Mr. Van Scoy,
Cook,	Hewitt,	J. Walker,
Dinturf,	Lamb,	Wixson,
Drew,	Luce,	Zimmerman,
Garvelink,	Thomas,	

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Mr. Fey, leave being granted, moved that the Clerk be instructed to transmit to the Senate a respectful message, requesting the return to the House of Senate bill No. 183, entitled

A bill to amend section 4 of an act entitled "An act to regulate the manufacture and provide for the inspection of salt," approved March 6, 1869, being section 1461 chapter 33 of the compiled laws of 1871;

Which motion prevailed.

Senate manuscript bill, entitled

A bill to confer certain power upon the board of county auditors for the county of Wayne,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Sessions,
Bartholomew,	Hewitt,	Shaw,
Bonine,	Hoar,	Simpson,
Bottomley,	Hosner,	Smith,
Breitung,	Howard,	Speed,
Brunson,	Hoyt,	Striker,
Burns,	Kellogg,	Thomas,
Cady,	Lamb,	Thompson,
Chafey,	Lewis,	Van Scoy,
Chamberlain,	Lockwood,	A. Walker,
Olimie,	Luce,	B. Walker,
Cobb,	R. C. Miller,	J. Walker,
Cook,	Mitchell,	L. Walker,
Dinturff,	Morse,	E. C. Watkins,
Drew,	O'Dell,	Welch,
Edwards,	Parsons,	Welker,
Fancher,	Pierce,	Wheeler,
Garfield,	Priest,	Withington,
Gilmore,	Rich,	Wixson,
Goodrich,	Ripley,	Zimmerman,
Gordon,	Robinson,	Speaker.
Grant,		

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#### NAYS.

Mr. Markey,  
Title agreed to.

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On motion of Mr. Gordon,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 93, entitled

A bill to authorize railroad companies to convey their franchises and property under certain circumstances,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Bottomley moved to amend the bill by adding thereto the following: "*Provided*, That the provisions of this act shall only be applicable to railroads lying in the counties of St. Clair and Macomb, or partly in one or both of said counties;"

Pending which,

On motion of Mr. Remer,

The bill was laid on the table.

Mr. Lockwood moved that the House take a recess until 7½ o'clock this evening;

Which motion did not prevail.

House bill No. 292, entitled

A bill to convey the title of the State of Michigan, in and to certain estates, to Mary Jane Conroy,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Smith,

The bill was laid on the table.

#### MOTIONS AND RESOLUTIONS.

Mr. Climie moved to discharge the committee of the whole from the further consideration of Senate bill No. 49, entitled

A bill to amend section 13 of an act entitled "An act to provide for the organization of the supreme court, pursuant to section 2 of article 6 of the constitution," approved February 16, 1857, being section 4896 of the compiled laws of 1871;

Which motion prevailed.

On motion of Mr. Climie.

The bill was placed on the order of third reading.

Mr. Withington offered the following:

WHEREAS, It has come to the knowledge of this House that two of its most esteemed members narrowly escaped a watery grave in the dark waters of the Grand river, therefore,

*Resolved*, That the House congratulate those members upon their escape, and commends them to a boarding-house which can be reached without trusting their valuable lives and new hats to the dangerous navigation of Grand river;

On motion of Mr. Withington,

The resolution was referred to the committee on fisheries.

Mr. J. Walker asked and obtained leave of absence until Monday evening.

Mr. Hewitt moved that the House take a recess until 7½ o'clock this evening.

Pending which,

Mr. Morse moved that the House adjourn;

Which motion did not prevail.

The motion to take a recess then prevailed.

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EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

Mr. Howard moved that the House adjourn;

Which motion did not prevail.

GENERAL ORDER.

On motion of Mr. Welker,

The House went into committee of the whole on the general order,

Mr. Caplis in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report:

The committee of the whole have also had under consideration the following entitled bills :

1. House bill No. 354, entitled

A bill to amend sections 2, 3, 14, and 16 of an act entitled "An act to establish the Detroit House of Correction and authorize the confinement of convicted persons therein," approved March 15, 1861 ;

2. Senate bill No. 160, entitled

A bill to amend an act in relation to the powers and duties of superintendents of the poor ;

3. House bill No. 357, entitled

A bill to amend an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," the same being section 5748 of the compiled laws of 1871 ;

4. House bill No. 362, entitled

A bill to amend section 2 of chapter 201 of the compiled laws of 1871, relating to "Proceedings against debtors by attachment ;"

5. House bill No. 363, entitled

A bill to amend sections 50 and 51, being compiler's sections 6252, and 6253, chapter 195, compiled laws of 1871, relative to the action of ejectment ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill :

6. House manuscript bill, entitled

A bill to amend the third subdivision of section 8 ; also 63 of an act an act entitled "An act to incorporate the city of Charlotte," approved March 29, 1871 ;

7. Senate bill No. 195, entitled

A bill to provide for the early distribution of the general laws which are ordered to take immediate effect ;

8. House bill No. 359, entitled

A bill to amend section 39 of chapter 177 of the compiled laws of 1871, being compiler's section 5230, relative to the probate courts ;

9. House bill No. 361, entitled

A bill abolishing estates for life in dower and tenancy by courtesy, and creating in lieu thereof estates in fee simple, and further defining the rights, duties, and obligations of husband and wife ;

10. Senate bill No. 17, entitled

A bill to amend sections 3381 and 3382 of the compiled laws of 1871, relative to burying grounds and rural cemeteries ;

11. Senate bill No. 202, entitled

A bill to amend section 22 of an act entitled "An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative, and legislative powers," approved April 8, 1851, being section 488 of compiled laws of 1871 ;

12. Senate bill No. 162, entitled

A bill to amend section 50 of chapter 267, entitled "The State Prison, and the government and discipline thereof," being section 8095 of the compiled laws of 1871 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

13. Senate bill No. 173, entitled

A bill to provide additional fees for sheriffs in certain cases ;

14. House bill No. 356, entitled

A bill to amend section 1 of chapter 153 of the compiled laws of 1871, relative to title to real property by descent, being section 4309 ;

15. House bill No. 364, entitled

A bill for the better protection of railway employes, and to



provide compensation for personal injury or loss of life while in the discharge of their duties ;

16. Senate bill No. 100, entitled

A bill to prescribe the course of study in the common schools ;

17. House bill No. 219, entitled

A bill to regulate the catching of fish in certain of the waters of this State ;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution :

1. Senate manuscript joint resolution, entitled

Joint resolution to appropriate a sum of money and provide for the laying of the corner stone of the new State capitol.

2. House joint resolution No. 28, entitled

Joint resolution to authorize the Commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section No. 16, in township No. 8 south, of range No. 5 east to George W. Blivin, assignee of primary school-land certificate No. 5961 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution :

3. House joint resolution No. 26, entitled

Joint resolution relative to the distribution of the laws, journals, documents, and joint documents of the session of the Legislature for the 1873 ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein and recommend its passage.

JAMES CAPLIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grant,

The House concurred in the amendments made to the first five named bills and the third named joint resolution, and they were placed on the order of third reading.

The sixth, seventh, eighth, ninth, tenth, eleventh, and twelfth named bills and the first two named joint resolutions were placed on the order of third reading.

On motion of Mr. Bonine,

The House concurred in the action of the committee relative to the thirteenth, fourteenth, fifteenth, and seventeenth named bills, and their titles were laid on the table.

On motion of Mr. Brunson,

The sixteenth named bill was laid on the table.

Mr. Gordon, leave being granted, moved to discharge the committee of the whole from the further consideration of House bill No. 381, entitled

A bill to amend sections 647 and 649, relative to the term of office of the commissioners of highways; section 695, relative to filling vacancies in the office of overseer of highways; sections 728, 729, 730, 731, 732, 733, 734, and 735, relative to overseers and commissioners of highways; sections 752, 753, 754, and 755, relative to the raising of money by tax or to borrow money to build or repair bridges, chapter 12 of the compiled laws of 1871; to amend chapters 23, 24, 25, 27, 28, and 31; sections 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270 and 1278, chapter 26 of the compiled laws of 1871, relative to highways, bridges, and private roads; to amend sections 1753 and 1758, chapter 47 of the compiled laws of 1871, relative to the county drain law; to amend sections 2027, 2028, 2029, 2030, 2031, 2032, 2033, and 2034, chapter 59 of the compiled laws of 1871, relative to animals running at large; to amend chapter 68 of the compiled laws of 1871, relative to the spread of Canada thistles; to amend section 2587, chapter 78 of the compiled laws of 1871, relative to plank road companies;

Which motion prevailed.

On motion of Mr. Gordon,  
The bill was recommitted to the committee on judiciary.  
On motion of Mr. Cady,  
The House adjourned.

*Lansing, Friday, April 18, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called : quorum present.

Absent without leave, Mr. Greusel.

Mr. Markey asked and obtained leave of absence for Mr. Greusel indefinitely on account of sickness.

Mr. Parsons asked and obtained leave of absence for Mr. Dinturff until Monday.

Mr. Parsons asked and obtained leave of absence until Monday.

#### REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 72, entitled

A bill for the incorporation of cities,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and without further recommendation ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The House concurred in the amendments made to the bill by the committee.

Mr. Speed moved that the bill be made the special order for to-morrow afternoon at 2 o'clock ;

Which motion did not prevail.

On motion of Mr. Rich,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on railroads:

The committee on railroads, to whom was recommitted Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. E. C. Watkins,

The rule was suspended, and the bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Shaw moved to amend the bill by adding to section 27 the following: "*Provided*, Any railroad company which has heretofore entered upon, taken, occupied, and used any lands within this State for the purpose of their road, shall have the same right to acquire title to, or right of way over, said lands so taken by them, as if they had proceeded to acquire said title or right of way before having entered upon the same;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robinson,
Bailey,	Harris,	Rose,
Bartholomew,	Haywood,	Sanderson,
Bonine,	Hertzler,	Scott,
Bottomley,	Hewitt,	Sessions,
Breitung,	Hoar,	Shaw,
Briggs,	Hosner,	Simpson,
Brunson,	Howard,	Speed,
Burns,	Hoyt,	Striker,
Cady,	Kellogg,	Thomas,
Caplis,	Lamb,	Thompson,
Chamberlain,	Lewis,	Van Scoy,
Climie,	Lockwood,	A. Walker,
Cobb,	Luce,	B. Walker,
Cook,	Markey,	L. Walker,
Curtis,	E. R. Miller,	Warren,
Eggleston,	R. C. Miller,	O. W. Watkins,
Fancher,	Mitchell,	E. C. Watkins,
Fey,	Morse,	Welch,
Garfield,	O'Dell,	Welker,
Garvelink,	Pierce,	West,
Goodrich,	Priest,	Wheeler,
Gordon,	Remer,	Withington,
Grant,	Rich,	Wixson,
Green,	Ripley,	Zimmerman, 75

## NAYS.

Mr. Buell,	Mr. Gilmore,	Mr. Smith,
Drew,		

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Title agreed to.

On motion of Mr. E. C. Watkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on fisheries:

The committee on fisheries, to whom was referred the following:

WHEREAS, It has come to the knowledge of this House that two of its most esteemed members narrowly escaped a watery grave in the dark waters of the Grand River, therefore,

*Resolved*, That the House congratulate those members upon their escape, and commend them to a boarding-house which can be reached without trusting their valuable lives and new hats to the dangerous navigation of Grand River,

Respectfully report :

As the Honorable House has expressed a wish  
That their committee to look after the fish,  
Should also examine and straightway tell  
What of late the venerable doctors befell,  
Your indulgence now we humbly court  
While we submit the following report :

The night was dark. The sifting rain  
Fell thick and fast o'er hill and plain ;  
The planks were wet, the mud was deep,  
And Chamberlain, almost asleep,  
Lagged far behind, with weary clink,  
Till all brought to upon the brink.  
Here, Joe was ready, boat and oar,  
With breadth of beam to carry four.  
But Climie cried, " Why here's a fix,  
For sure we number up to six ;  
And who'll stand shivering on the shore  
While Charon rows the others o'er?"  
" Get in," said Joe, with modest mood,  
" She'll bear you safe across the flood."  
And one by one they stepped aboard,  
While angry surges 'round them roared,  
Till all but Bill was safe inside,  
And settling for the risky ride.  
Rubbing his eyes, and with uncertain step,  
To the very edge this Ajax crept,  
And lifting his foot, of course it fell,  
And away went the boat like a cockle shell.  
As from off a slippery log  
Suddenly springs a monstrous frog,  
With arms and legs extended wide,  
Bonine went down beneath the tide.  
Parsons marked the situation  
And " went " at once for consultation.  
Hat a flying! heels in air!  
Behold now the plunging pair!

Slowly up the muddy bank  
Crept the doctors, wet and lank ;  
And now upon the solid land,  
All limp and dripping, see them stand !  
Among the fishes, so timid and coy,  
There were signs of exceeding joy.  
The bass, the sucker, the minnie, and trout  
Went flopping and bobbing all about,  
And cried to each other, with a right good will,  
" How do you like a blue mass pill ?"  
Though with patience greatly blest  
The small pill chaps they do detest,  
Yet now the M. D. 's are quite sure  
They hate much worse the water cure !  
And your committee, to the end  
The great fish interest to defend,  
Most respectfully recommend,  
As soon as the doctors now feel able,  
To lay them both upon the table.

E. R. MILLER, *Chairman*.

Report accepted and committee discharged.

By the committee on railroads:

The committee on railroads, to whom was referred House bill No. 375, entitled

A bill regulating freights on railroads,

Respectfully report that they have had the same under consideration ; that they have made the amendment ordered by the House, and have also made certain other amendments thereto, and recommend that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

The aim of the bill is to protect shippers and business men from exorbitant and extortionate charges for the transportation of merchandise and other property.

E. O. ROSE, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Climie,

The House concurred in the amendments made to the bill by the committee.

Mr. Climie moved that the rule be suspended, and that the bill be put upon its immediate passage;

Which motion did not prevail.

The bill was then referred to the committee of the whole, and placed on the general order.

Mr. Climie moved to discharge the committee of the whole from the further consideration of the bill, and that it be placed on the order of third reading;

Which motion prevailed.

The members from Ottawa and Muskegan counties, to whom was referred Senate bill No. 289, entitled

A bill to prevent accidents while crossing on the ice on Spring Lake, in the counties of Ottawa and Muskegan.

Respectfully report that this lake is used in winter as a public highway, and the people residing along the banks of said lake are in the habit of cutting ice for their summer use, leaving the openings without being properly fenced, thereby endangering life and property. We therefore consider the passage of this bill necessary to the public safety, and respectfully report that they have had the same under consideration, and report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. A. HAIRE,  
WM. H. CURTIS,  
C. C. THOMPSON.

Report accepted and committee discharged.

On motion of Mr. Haire,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to amend act No. 334, session laws of 1869, in relation to certain modes of fishing, so as to include Duck lake, Prairie lake, and the lakes known as Gang of Lakes, in Cal-



houn county ; Devil's lake and Round lake, in Lenawee county, and Whitmore lake, in Washtenaw county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be laid on the table, and ask to be discharged from the further consideration of the subject.

The passage of Senate bill 88 (a general law) will, in the opinion of the committee, meet the object which the bill is designed to accomplish.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

Joint resolution for the relief of George Krouse ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

The committee do not doubt that Mr. Krouse is entitled to relief, and although they cannot see how this resolution would help him, yet they would like to have it considered by the House, and adopted with some modifications, if the House should think it likely to be of any use.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. C. W. Watkins,

The joint resolution was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on printing :

The committee on printing, to whom was referred Senate bill No. 19, entitled

A bill to provide for printing and publication of the territorial laws of the Territory of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

L. A. FANCHER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill relative to the sale of real estate on execution,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

The object of this bill is to protect innocent purchasers, and to relieve creditors in cases of incumbrances not shown upon the record, or by possession, or by persons claiming adversely to the judgment debtor.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Striker,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to amend the practice in courts of record in this State

in relation to the entry of common orders, rules, and special motions,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend an act entitled "An act to provide for trial of offenses upon information," approved February 12, 1859; being chapter 261 of the compiled laws of 1871, by adding a new section thereto, to stand as section 11,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that it do not pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Striker,

The bill was laid on the table.

By the committee on printing:

The committee on printing, to whom was referred

A bill to provide for the collection and printing of the laws of the territory of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not

pass, and ask to be discharged from the further consideration of the subject.

The reasons are that a similar bill has been reported.

I. A. FANCHER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

By the committee on supplies and expenditures :

The committee on supplies and expenditures, to whom was referred the claim of stenographers for services with the special committee on the Grand Rapids & Indiana Railroad, the Grand Trunk Railway, and the special committee to visit the University, respectfully recommend that the following amounts be allowed :

Charles Swift, claim, \$35 00 ; allowed \$35 00.

J. E. Harrison, claim, \$63 75 ; allowed \$63 75.

John Gray, claim, \$135 75 ; allowed \$67 87.

And ask to be discharged from the further consideration of the subject.

C. W. WATKINS, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Climie,

The report was adopted.

#### MESSAGES FROM THE GOVERNOR.

The Speaker announced the following :

EXECUTIVE OFFICE, }  
Lansing, April 17, 1873. }

*To the House of Representatives :*

I have this day approved, signed, and deposited in the office of the Secretary of State the following entitled acts :

1. An act authorizing the Hamtramck and Warren Plank Road to discontinue a part of their road ;

2. An act to amend an act to incorporate the village of New Buffalo ;

3. An act to amend section 4 of an act to provide for the settlement and drainage of swamp lands by actual settlers, approved February 15, 1859 ;

4. An act to prohibit officers of public institutions from being interested in contracts made therewith, and to prevent bribery ;

5. An act to amend section 1 of an act entitled " An act to provide for the recording of town plats, and for vacating the same in certain cases," approved April 19, 1839 ;

6. An act to amend section 71 of " An act to provide for a uniform assessment of property, etc.," approved April 6, 1869 ;

7. An act to provide for the statistical information of the insane, deaf, dumb, and blind in this State ;

8. An act to amend sections 1 and 6 of " An act to authorize the formation of gas-light companies," approved Feb. 12, 1855 ;

9. An act to provide for the education of certain poor persons in the " Michigan Institution for Educating the Deaf, and Dumb, and the Blind ;"

10. An act authorizing the board of control of the State Public School to purchase additional lands ;

11. Joint resolution for the payment of printing done by R. A. Beal ;

12. An act to amend sections 3 and 4 of an act to provide for the division of the township of Plymouth, Wayne county, into two election districts, for general election purposes ;

13. An act to amend section 3 of " An act to incorporate the union school district of the city of Owosso," approved March 22, 1871 ;

14. An act to organize the township of Haring in the county of Wexford ;

15. An act to change the name of the First Presbyterian Ecclesiastical Society of Franklin, Lenawee county, Michigan, and to appoint seven trustees for the same ;

16. A bill to amend section 43 of " An act to revise the charter of the village of Hudson," approved February 27, 1867 ;

17. An act to authorize the Detroit & Prairie Mound Plank

Road Company to collect the same tolls as are charged by the Detroit, Hamtramck & Warren Plank Road Association.

JOHN J. BAGLEY.

The message was laid on the table.

The Speaker also announced the following :

EXECUTIVE OFFICE,  
*Lansing, April 16, 1873.* }

*To the House of Representatives :*

I return herewith, without my approval, House joint resolution No. 21, for the relief of Charles Dutcher.

The facts set forth in the preamble are undoubtedly true ; yet it fails to show that either Dutcher or the supervisor have ever made affidavit that the proof of three months occupancy and improvement was made out and forwarded to the Land Office, as required by law. The records of the Land Office do not show it. If the proof was made and forwarded, it would be an easy matter to prove it; and the proof should have accompanied the resolution. The chief objection, however, to the resolution, is this : The State sold and patented the same lot of land, in November, 1871, to Messrs. Hoyt and Draper and I do not think it legal or right that the State should issue its patent twice on the same land.

It is to be regretted that Mr. Dutcher should lose his lands, or have his title brought in question by an accident or error ; but I know of no legal way by which the Legislature can aid him. His only remedy is in the courts.

It is a subject of congratulation, that the act passed by you at this session providing for the public sale of all lands that revert to the State, will hereafter protect settlers in their homes, and prevent their being deprived of their lands without opportunity to recover them.

There will be no cases like the one under consideration in the future.

JOHN J. BAGLEY.

Mr. Bonine moved to reconsider the vote by which the House passed the bill ;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Hoyt,

The bill was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, April 17, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 271, entitled

A bill to establish a board of public works in an for the city of Detroit ;

And to inform the House that the Senate has amended the same as follows :

1. By inserting after the word “act,” in line 4 of section 4, the following: “or without the city limits and within two miles thereof, when directed by the common council, and may enter upon lands for that purpose;”

2. By striking out the word “authorized,” in line 9, section 16, and inserting “approved” in lieu thereof;

3. By inserting, after the word “by,” where it first occurs in line 3 of section 18, the words, “such board and approved by;”

4. By adding to section 4 the following: *And provided further,* That the action of said board in platting territory lying outside of the said city, shall not be obligatory or binding upon the inhabitants owning lands lying without the limits of the said city of Detroit, while the said territory remains outside of the city limits;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and

has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Burns moved that the House concur in the amendments made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Garfield,	Mr. Rose,
Bartholomew,	Gilmore,	Sanderson,
Bonine,	Goodrich,	Shaw,
Breitung,	Grant,	Speed,
Briggs,	Haire,	Striker,
Brunson,	Harris,	Thompson,
Buell,	Hour,	A. Walker,
Burns,	Hoyt,	B. Walker,
Cady,	Lewis,	L. Walker,
Caplis,	Lockwood,	Warren,
Chamberlain,	Mitchell,	C. W. Watkins,
Cl mie,	Morse,	E. C. Watkins,
Cook,	O'Dell,	West,
Eggleston,	Priest,	Withington,
Fancher,	Remer,	Zimmerman,
Fey,	Robinson,	Speaker. 48

#### NAYS.

Mr. Bottomley,	Mr. Hosner,	Mr. Ripley,
Cobb,	Howard,	Sessions,
Curtis,	Kellogg,	Simpson,
Drake,	Lamb,	Smith,
Drew,	Luce,	Thomas,
Edwards,	Markey,	Van Scoy,
Garvelink,	E. R. Miller,	Welch,
Green,	R. O. Miller,	Welker,
Haywood,	Pierce,	Wheeler,
Hertzler,	Rich,	Wixson,
Hewitt,		

31

The Speaker also announced the following :



SENATE CHAMBER,  
Lansing, April 17, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 237, entitled

A bill to provide for the incorporation of ecclesiastical bodies and societies ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Speed,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, April 17, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following:

House bill No. 276, entitled

A bill to organize the township of Sibley, in Keweenaw county,

And to inform the House that the Senate has amended the same by striking out the word "April" in line 1 of section 2 and inserting "June" in lieu thereof ;

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has

ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoar moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,	
Bartholomew,	Haire,	Sanderson,	
Bonine,	Harris,	Sessions,	
Bottomley,	Haywood,	Shaw,	
Breitung,	Hoar,	Simpson,	
Brunson,	Hosner,	Smith,	
Buell,	Hoyt,	Speed,	
Burns.	Kellogg,	Striker,	
Cady,	Lamb,	Thompson,	
Caplis,	Lewis,	A. Walker,	
Cobb,	Lockwood,	B. Walker,	
Cook,	Markey,	L. Walker,	
Curtis,	E. R. Miller,	E. C. Watkins,	
Drake,	R. C. Miller,	Welch,	
Edwards,	Mitchell,	Welker,	
Eggleston,	Morse,	West,	
Fancher,	O'Dell,	Wheeler,	
Fey,	Pierce,	Withington,	
Garfield,	Priest,	Wixson,	
Garvelink,	Remer,	Zimmerman,	
Goodrich,	Rich,	Speaker,	
Grant,	Robinson,		65

NAYS

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 17, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 257, entitled

A bill making appropriations for the State Reform School for the years 1873 and 1874;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on Reform School.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 17, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 283, entitled

A bill to amend section 65 of chapter 58 of the revised statutes of 1846, being section 3635 of the compiled laws of 1871, relative to the use of school-houses;

And to inform the House that the Senate has amended the same, by striking out all of line 4, of recited section 65, after the word "meetings," and insert in lieu thereof the following: "Unless by a vote at a district meeting it shall be determined otherwise.

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Sessions moved that the House concur in the amendments made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. E. R. Miller,	Mr. Smith,
Bonine,	R. C. Miller,	Speed,
Breitung,	Mitchell,	Striker,
Cook,	Remer,	Van Scoy,
Curtis,	Robinson,	Warren,
Drake,	Rose,	E. C. Watkins,
Garfield,	Sanderson,	Welker,
Garvelink,	Sessions,	West,
Grant,	Shaw,	Wixson,
Haire,		

28

## NAYS.

Mr. Ackley.	Mr. Harris,	Mr. Pierce,
Bottomley,	Hertzler,	Priest,
Briggs,	Hewitt,	Rich,
Brunson,	Hoar,	Simpson,
Buell,	Hosner,	Thomas,
Burns,	Howard,	Thompson,
Cady,	Hoyt,	A. Walker,
Chamberlain,	Lamb,	B. Walker,
Climie,	Lewis,	L. Walker,
Cobb,	Lockwood,	C. W. Watkins,
Drew,	Luce,	Welch,
Edwards,	Markey,	Wheeler,
Eggleston,	Morse,	Zimmerman,
Goodrich,	O'Dell,	Speaker,
Green,		

43

## THIRD READING OF BILLS.

Senate bill No. 49, entitled

A bill to amend section 13 of an act entitled "An act to provide for the organization of the Supreme Court, pursuant to section 2 of article 6 of the constitution," approved February 16, 1857, being section 4896 of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Gordon demanded the previous question.

The demand was seconded and the main question ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Bailey,	Haire,	Robinson,
Bartholomew,	Harris,	Rose,
Bonine,	Haywood,	Sanderson,
Bottomley,	Hewitt,	Sessions,
Briggs,	Hoar,	Shaw,
Brunson,	Hosner,	Simpson,
Buell,	Howard,	Striker,
Chamberlain,	Hoyt,	Thomas,
Climie,	Kellogg,	Thompson,
Cobb,	Lamb,	Van Scoy,
Curtis,	Lewis,	A. Walker,
Drake,	Lockwood,	B. Walker,
Drew,	Luce,	Warren,
Eggleston,	E. R. Miller,	C. W. Watkins,
Fancher,	R. C. Miller,	E. C. Watkins,
Fey,	Mitchell,	Welker,
Garfield,	Morse,	West,
Garvelink,	O'Dell,	Wheeler,
Gilmore,	Priest,	Withington,
Goodrich,	Rich,	Wixson,

63

## NAYS.

Mr. Burns,	Mr. Grant,	Mr. Speed,
Cady,	Hertzler,	L. Walker,
Caplis,	Markey,	Welch,
Cook,	Pierce,	Zimmerman,
Edwards,	Remer,	Speaker,
Gordon,	Smith,	

17

Title agreed to.

On motion of Mr. Rose,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

## THIRD READING OF BILLS.

House joint resolution No. 26, entitled

Joint resolution relative to the distribution of the laws journals, documents, and joint documents of the session of the Legislature for the year 1873,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. L. Walker moved to amend by inserting after the words "joint documents" the words "and report of the State Geologist;"

Which motion prevailed.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aokley,	Mr. Gilmore,	Mr. Rich,
Bartholomew,	Goodrich,	Ripley,
Bonine,	Gordon,	Rose,
Bottomley,	Grant,	Sanderson,
Breitung,	Green,	Sessions,
Briggs,	Haire,	Shaw,
Brunson,	Harris,	Simpson,
Buell,	Haywood,	Smith,
Burns,	Hertzler,	Speed,
Oady,	Hoar,	Striker,
Caplis,	Hosner,	Thompson,
Carter,	Howard,	A. Walker,
Climie,	Hoyt,	B. Walker,
Cobb,	Lamb,	L. Walker,
Curtis,	Luce,	Warren,
Drake,	E. R. Miller,	Welker,
Drew,	R. C. Miller,	West,
Edwards,	Mitchell,	Wheeler,
Eggleston,	Morse,	Withington,
Fancher,	O'Dell,	Wixson,
Fey,	Priest,	Zimmerman,
Garfield,	Remer,	Speaker,
Garvelink,		

67

## NAYS.

0

Title agreed to.

House bill No. 354, entitled

A bill to amend sections 2, 3, 14, and 16 of an act entitled "An act to establish the Detroit House of Correction and authorize the confinement of convicted persons therein," approved March 15, 1861,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Speed,

The bill was laid on the table.

Senate bill No. 195, entitled

A bill to provide for the early distribution of the general laws which are ordered to take immediate effect,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Grant,

The further consideration of the bill was indefinitely postponed.

House manuscript bill, entitled

A bill to amend the third subdivision of section 8; also 63 of an act entitled "An act to incorporate the city of Charlotte," approved March 29, 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Rich,
Bailey,	Goodrich,	Ripley,
Bartholomew,	Gordon,	Robinson,
Bonine,	Grant,	Sanderson,
Bottomley,	Green,	Sessions,
Breitung,	Haire,	Shaw,
Brunson,	Harris,	Simpson,
Burns,	Haywood,	Smith,
Cady,	Hertzler,	Speed,
Caplis,	Hewitt,	Striker,
Carter,	Hoar,	Thompson,
Chafey,	Hosner,	A. Walker,
Chamberlain,	Howard,	B. Walker,
Climie,	Hoyt,	L. Walker,
Cobb,	Kellogg,	Warren,
Cook,	Luce,	E. C. Watkins,
Curtis,	Markey,	Welch,

<b>Mr. Drake,</b>	<b>Mr. E. R. Miller,</b>	<b>Mr. Welker,</b>	
Drew,	R. C. Miller,	West,	
Edwards,	Mitchell,	Wheeler,	
Eggleston,	O'Dell,	Withington,	
Fancher,	Pierce,	Wixson,	
Fey,	Priest,	Zimmerman,	
Garfield,	Remer,	Speaker,	
Garvelink,			73

NAYS.

0

The question being on agreeing to the title,

Mr. Shaw moved to amend the title so as to read as follows :

A bill to amend section 63 of an act, entitled "An act to incorporate the city of Charlotte, and to repeal section 72 of said act, being No. 250 of the session laws of 1871," approved March 29, 1871 ;

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 160, entitled

A bill to amend an act in relation to the powers and duties of superintendents of the poor,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Shaw,

The bill was laid on the table.

House bill No. 357, entitled

A bill to amend an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," the same being section 5748 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

<b>Mr. Ackley,</b>	<b>Mr. Goodrich,</b>	<b>Mr. Rich,</b>
Bartholomew,	Gordon,	Ripley,
Bonine,	Grant,	Robinson,



Mr. Bottomley,	Mr. Green,	Mr. Sanderson,
Briggs,	Haire,	Sessions,
Brunson,	Harris,	Shaw,
Burns,	Haywood,	Simpson,
Cady,	Hertzler,	Smith,
Caplis,	Hewitt,	Speed,
Carter,	Hoar,	Striker,
Chafey,	Hosner,	Thompson,
Chamberlain,	Howard,	Van Scoy,
Climie,	Hoyt,	A. Walker,
Cobb,	Kellogg,	B. Walker,
Cook,	Lamb,	L. Walker,
Curtis,	Luce,	Warren,
Drake,	Markey,	E. C. Watkins,
Drew,	E. R. Miller,	Welch,
Edwards,	R. C. Miller,	Welker,
Eggleston,	Mitchell,	West,
Fancher,	Morse,	Wheeler,
Fey,	O'Dell,	Withington,
Garfield,	Pierce,	Wixson,
Garvelink,	Priest,	Zimmerman,
Gilmore,	Remer,	Speaker, 75
	NAYS.	0

Title agreed to.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 363, entitled

A bill to amend sections 50 and 51, being compiler's sections 6252 and 6253, chapter 195, compiled laws of 1871, relative to the action of ejectment,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Bailey,	Green,	Rose,
Bartholomew,	Haire,	Sanderson,
Bonine,	Harris,	Sessions,
Bottomley,	Haywood,	Shaw,
Brunson,	Hertzler,	Simpson,
Cady,	Hewitt,	Smith,
Carter,	Hoar,	Speed,

Mr. Chamberlain,	Mr. Hosuer,	Mr. Striker,
Cobb,	Hoyt,	Thompson,
Cook,	Kellogg,	Van Scoy,
Curtis,	Markey,	B. Walker,
Drake,	E. R. Miller,	L. Walker,
Drew,	R. C. Miller,	Warren,
Edwards,	Mitchell,	Welch,
Fancher,	Morse,	Welker,
Fey,	O'Dell,	West,
Garfield,	Pierce,	Wheeler,
Garvelink,	Priest,	Wixon,
Gilmore,	Remer,	Zimmerman,
Goodrich,	Rich,	Speaker,
Gordon,	Ripley,	

66

## NAYS.

Mr. Burns,,	Mr. Howard,	Mr. Lamb,
Caplis		

4

Title agreed to.

On motion of Mr. L. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 202, entitled

A bill to amend section 22 of an act entitled "An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative, and legislative powers," approved April 8, 1851, being section 488 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Rich,
Bartholomew,	Green,	Ripley,
Bonine,	Haire,	Robinson,
Bottomley,	Harris,	Rose,
Brunson,	Haywood,	Sessions,
Burns,	Hertzler,	Shaw,
Cady,	Hewitt,	Smith,
Carter.	Hosner,	Striker,
Chamberlain,	Howard,	Van Scoy,
Climie,	Hoyt,	B. Walker,
Cobb,	Kellogg,	L. Walker,

Mr. Cook,	Mr. Markey,	Mr. Warren,
Curtis,	E. R. Miller,	E. C. Watkins,
Drake,	R. C. Miller,	Welch,
Drew,	Mitchell,	Welker,
Edwards,	Morse,	West,
Fancher,	O'Dell,	Wheeler,
Garvelink,	Pierce,	Withington,
Gilmore,	Priest,	Wixson,
Gordon,	Remer,	Zimmerman, 60

## NAYS.

Mr. Chafey.	Mr. Lamb,	Mr. Luce,
Garfield,		

4

Title agreed to.

On motion of Mr. Bottomley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 17, entitled

A bill to amend sections 3381 and 3382 of the compiled laws of 1871, relative to burying grounds and rural cemeteries,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Bailey,	Haire,	Rose,
Bartholomew,	Harris,	Sanderson,
Bonine,	Haywood,	Sessions,
Breitung,	Hertzler,	Shaw,
Brunson,	Hewitt,	Simpson,
Buell,	Hoar,	Striker,
Carter,	Hosner,	Van Scoy,
Chafey,	Howard,	B. Walker,
Chamberlain,	Kellogg,	L. Walker,
Climie,	Lamb,	Warren,
Cobb,	Markey,	C. W. Watkins,
Cook,	E. R. Miller,	E. C. Watkins,
Drew,	R. O. Miller,	Welch,
Edwards,	Mitchell,	Welker,
Eggleston,	Morse,	West,
Fancher,	O'Dell,	Wheeler,
Fey,	Pierce,	Withington,
Garfield,	Priest,	Wixson,

Mr. Gilmore,  
Goodrich,  
Gordon,

Mr. Remer,  
Rich,

Mr. Zimmerman,  
Speaker,

63

NAYS.

Mr. Garvelink,

1

Title agreed to.

On motion of Mr. L. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 362, entitled

A bill to amend section 2 of chapter 201 of the compiled laws of 1871, relating to "Proceedings against debtors by attachment,"

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Shaw moved to amend the bill by striking out in section 1, lines 1 and 2, the words "section 4773 of the compiled laws," and insert "section 6398 of the compiled laws of 1871 ;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Bartholomew,  
Bonine,  
Bottomley,  
Breitung,  
Brunson,  
Burns,  
Cady,  
Capiis,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Drew,  
Eggleston,

Mr. Goodrich,  
Gordon,  
Grant,  
Haire,  
Harris,  
Haywood,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Lamb,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,

Mr. Remer,  
Rich,  
Ripley,  
Rose,  
Sanderson,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Striker,  
Van Scoy,  
B. Walker,  
L. Walker,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,

Mr. Fancher,	Mr. Morse,	Mr. Wheeler,	
Fey,	O'Dell,	Withington,	
Garfield,	Pierce,	Zimmerman,	
Garvelink,	Priest,	Speaker,	
Gilmore,			67

## NAYS.

0

The question being on agreeing to the title,

Mr. Shaw moved to amend the title by inserting after the word "laws" the word and figures "of 1871;"

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 361, entitled

A bill abolishing estates for life in dower and tenancy by courtesy, and creating in lieu thereof estates in fee simple, and further defining the rights, duties, and obligations of husband and wife,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Robinson,	
Bailey,	Goedrich,	Rose,	
Bartholomew,	Gordon,	Sanderson,	
Bonine,	Green,	Shaw,	
Breitung,	Harris,	Speed,	
Briggs,	Haywood,	Striker,	
Brunson,	Hewitt,	Thompson,	
Burns,	Hoar,	Van Scoy,	
Cady,	Hosner,	A. Walker,	
Caplis,	Howard,	B. Walker,	
Chafey,	Hoyt,	L. Walker,	
Chamberlain,	E. R. Miller,	Warren,	
Climie,	R. C. Miller,	C. W. Watkins,	
Edwards,	Mitchell,	Wheeler,	
Eggleston,	Morse,	Wixson,	
Fancher,	Priest,	Zimmerman,	
Garfield,	Remer,	Speaker,	51

## NAYS.

Mr. Bottomley,	Mr. Grant,	Mr. Ripley,
Buell,	Haire,	Sessions,
Carter,	Hertzler,	Simpson,
Cobb,	Kellogg,	Smith,
Cook,	Lamb,	E. C. Watkins,
Curtis,	Luce,	Welch,
Drake,	Markey,	Welker,
Drew,	O'Dell,	West,
Fey,	Pierce,	Withington,
Garvelink,	Rich,	29

Title agreed to.

Mr. Gordon moved to reconsider the vote by which the House passed the bill.

On motion of Mr. Gordon,

The motion to reconsider was laid on the table.

House bill No. 359, entitled

A bill to amend section 39 of chapter 177 of the compiled laws of 1871, being compiler's section 5230, relative to the probate courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Garfield,	Mr. Rose,
Bartholomew,	Garvelink,	Shaw,
Bonine,	Goodrich,	Smith,
Breitung,	Gordon,	Speed,
Brunson,	Grant,	Striker,
Burns,	Green,	Thompson,
Cady,	Haire,	Van Scoy,
Carter,	Hertzler,	A. Walker,
Chafey,	Hewitt,	B. Walker,
Chamberlain,	Hoar,	L. Walker,
Climie,	Howard,	C. W. Watkins,
Cobb,	Hoyt,	Welch,
Cook,	Markey,	Welker,
Curtis,	E. R. Miller,	West,
Drake,	Mitchell,	Wheeler,
Drew,	Morse,	Withington,
Edwards,	O'Dell,	Wixson,
Eggleston,	Remer,	Zimmerman,
Fancher,	Rich,	Speaker,
Fey,	Robinson,	59

## NAYS.

Mr. Ackley,  
Bottomley,  
Briggs,  
Buell,

Mr. Gilmore,  
Haywood,  
Kellogg,  
R. C. Miller,

Mr. Pierce,  
Sanderson,  
Sessions,

11

Title agreed to.

House joint resolution No. 28, entitled

Joint resolution to authorize the Commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section No. 16, in township No. 8 south, of range No. 5 east to George W. Blivin, assignee of primary school land certificate No. 5961,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Bartholomew,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Carter,  
Cook,  
Curtis,  
Drake,  
Edwards,  
Fey,  
Garfield,

Mr. Garvelink,  
Gilmore,  
Goodrich,  
Gordon,  
Grant,  
Haire,  
Haywood,  
Hertzler,  
E. R. Miller,  
Mitchell,  
Morse,  
Priest,  
Remer,  
Rose,

Mr. Sessions,  
Shaw,  
Smith,  
Speed,  
Striker,  
Thomas,  
Van Scoy,  
A. Walker,  
Warren,  
C. W. Watkins,  
Welch,  
Welker,  
Zimmerman,  
Speaker, 42

## NAYS.

Mr. Bailey,  
Bonine,  
Bottomley,  
Buell,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Drew,  
Eggleston,  
Green,

Mr. Hoar,  
Hosner,  
Hoyt,  
Kellogg,  
Lamb,  
Luce,  
Markey,  
R. C. Miller,  
O'Dell,  
Pierce,  
Rich,

Mr. Robinson,  
Sanderson,  
Thompson,  
B. Walker,  
L. Walker,  
E. C. Watkins,  
West,  
Wheeler,  
Withington,  
Wixson,

33

Senate bill No. 162, entitled

A bill to amend section 50 of chapter 267, entitled "The State Prison and the government and discipline thereof," being section 8095 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Robinson,
Bailey,	Goodrich,	Rose,
Bartholomew,	Gordon,	Sanderson,
Bonine,	Grant,	Sessions,
Bottomley,	Green,	Shaw,
Breitung,	Haire,	Smith,
Briggs,	Haywood,	Speed,
Brunson,	Hertzler,	Striker,
Buell,	Hewitt,	Thomas,
Burns,	Hoar,	Thompson,
Cady,	Hosner,	Van Scoy,
Carter,	Howard,	A. Walker,
Chafey,	Hoyt,	B. Walker,
Chamberlain,	Kellogg,	L. Walker,
Climie,	Luce,	Warren,
Cobb,	Markey,	E. C. Watkins,
Cook,	E. R. Miller,	Welch,
Curtis,	R. C. Miller,	Welker,
Drake,	Mitchell,	West,
Edwards,	Morse,	Wheeler,
Eggleston,	O'Dell,	Withington,
Fancher,	Pierce,	Wixson,
Fey,	Priest,	Zimmerman,
Garfield,	Remer,	Speaker,
Garvelink,	Ripley,	

74

## NAYS.

0

Title agreed to.

Senate bill No. 208, entitled

A bill to prevent accidents while crossing on the ice on Spring Lake, in the counties of Ottawa and Muskegon,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:



## YEAS.

Mr. Ackley,	Mr. Garvelink,	Mr. Robinson,
Bailey,	Gilmore,	Rose,
Bartholomew,	Gordon,	Sanderson,
Bopine,	Grant,	Sessions,
Bottomley,	Green,	Shaw,
Breitung,	Haire,	Smith,
Briggs,	Haywood,	Speed,
Brunson,	Hertzler,	Striker,
Buell	Hewitt,	Thomas,
Burns,	Hoar,	Thompson,
Cady,	Hosner,	Van Scoy,
Carter,	Hoyt,	A. Walker,
Chafey,	Kellogg,	B. Walker,
Chamberlain,	Luce,	L. Walker,
Climie,	Markey,	Warren,
Cobb,	E. R. Miller,	C. W. Watkins,
Cook,	R. C. Miller,	E. C. Watkins,
Curtis,	Mitchell,	Welch,
Drake,	Morse,	Welker,
Drew,	O'Dell,	West,
Edwards,	Pierce,	Wheeler,
Eggleston,	Priest,	Withington,
Fay,	Rich,	Zimmerman,
Garfield,	Ripley,	Speaker. 72

## NAYS.

Mr. Wixson, 1

Title agreed to.

House bill No. 375, entitled

A bill regulating freights on railroads,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Climie moved to reconsider the vote by which the House concurred in the amendment made by the committee on railroads, by inserting after the word "property," in line 14, section 3, the following; "than the Michigan Central railroad is by its charter authorized to charge: *Provided*, That such railroad company shall not be entitled to charge and collect in addition to their uniform rates per mile for a distance not exceeding 15 miles, 50 per cent, for a distance not exceed-

ing 25 miles, 25 per cent, and for a distance not exceeding 50 miles, not exceeding 10 per cent;”

Which motion prevailed.

The question being on concurring in the amendment,

Mr. Climie moved to amend the amendment by striking out the word “such,” and inserting in lieu thereof the word “any;”

Which motion prevailed.

The amendment, as amended, was then agreed to.

Mr. Fey moved to amend the bill by adding at the end of section 3 :

“*Provided*, That nothing in this act shall be construed to forbid or prevent any railroad company from making special rates or contracts for the transportation of freight or merchandise from any point on their line of road where two or more lines of road come in competition with each other, or where such line of road comes in competition with water transportation. And such railroad companies shall have full right and privilege to give special rates in all cases of contract for the transportation of freight and merchandise in quantities of or exceeding one hundred car loads;”

Which was not agreed to.

Mr. E. C. Watkins moved to reconsider the vote by which the House refused to amend the bill;

Which motion did not prevail.

Mr. Climie moved to recommit the bill to the committee on railroads with instructions to amend the bill by adding at the end of section 3 the following :

“*Provided*, That nothing in this act shall be construed to forbid or prevent any railroad company from making special rates or contracts for the transportation of freight or merchandise from any point on their line of road where two or more lines of road come in competition with each other, or where such line of road comes in competition with water transportation, and such railroad companies shall have full right and

privilege to give special rates in all cases of contract for the transportation of freight and merchandise in quantities of or exceeding one hundred car loads."

On motion of Mr. Shaw,

The instructions were amended by striking out the words "one hundred," and inserting the word "ten" in lieu thereof.

The motion to recommit with instructions, then prevailed.

Senate manuscript joint resolution, entitled

Joint resolution to appropriate a sum of money and provide for the laying of the corner stone of the new State Capitol,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,
Bailey,	Gordon,	Rose,
Bartholomew,	Grant,	Sanderson,
Bonine,	Green,	Sessions,
Bottomley,	Haire,	Shaw,
Breitung,	Harris,	Simpson,
Brunson,	Haywood,	Smith,
Buell,	Hertzler,	Speed,
Burns,	Hewitt,	Striker,
Cady,	Hoar,	Thompson,
Caplis,	Hosner,	Van Scoy,
Carter,	Howard,	A. Walker,
Chafey,	Hoyt,	B. Walker,
Chamberlain,	Kellogg,	L. Walker,
Climie,	Lamb,	Warren,
Cobb,	Markey,	C. W. Watkins,
Cook,	R. C. Miller,	E. C. Watkins,
Curtis,	Mitchell,	Welch,
Drew,	Morse,	West,
Edwards,	O'Dell,	Wheeler,
Eggleston,	Pierce,	Withington,
Fancher,	Priest,	Wixson,
Fey,	Remer,	Zimmerman,
Garfield,	Rich,	Speaker,
Gilmore,		

73

#### NAYS.

Mr. Briggs,	Mr. Lucas,	Mr. Welker,
Drake,	Ripley,	

5

Title agreed to.

The committee on railroads reported as follows:

The committee on railroads, to whom was recommitted House bill No. 375, entitled

A bill regulating freights on railroads,

Respectfully report they have had the same under consideration and have directed me to report the same back to the House with the accompanying amendment, as instructed, and recommend that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fey,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Rich,
Bailey,	Goodrich,	Robinson,
Bartholomew,	Gordon,	Rose,
Bonine,	Grant,	Sanderson,
Bottomley,	Green,	Sessions,
Breitung,	Haire,	Simpson,
Briggs,	Harris,	Smith,
Brunson,	Hertzler,	Speed,
Buell,	Hewitt,	Thompson,
Burns,	Hoar,	Van Scoy,
Cady,	Hoyt,	A. Walker,
Caplis,	Kellogg,	B. Walker,
Carter,	Lamb,	C. W. Watkins,
Chafey,	Luce,	E. C. Watkins,
Chamberlain,	Markey,	Welch,
Climie,	E. R. Miller,	Welker,
Cobb,	R. C. Miller,	West,
Curtis,	Mitchell,	Wheeler,
Drake,	Morse,	Withington,
Drew,	O'Dell,	Wixson,
Fancher,	Pierce,	Zimmerman,
Fey,	Priest,	Speaker,
Garfield,	Remer,	

## NAYS.

Mr. Cook,  
Edwards,  
Haywood,

Mr. Hosner,  
Howard,  
Ripley,

Mr. Shaw,  
Warren,

8

Title agreed to.

House bill No. 72, entitled

A bill for the incorporation of cities,

Was read a third time, and pending the taking of the vote  
on the passage thereof,

Mr. Rich moved to amend the bill by striking out all of  
section 2, chapter 3, after the word "population" in line 4 ;

Which was agreed to.

The bill was then passed, a majority of all the members elect  
voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,  
Bottomley,  
Breitung,  
Brunson,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Olimie,  
Cobb,  
Cook,  
Drake,  
Edwards,  
Fancher,  
Fey,  
Garfield,  
Gilmore,  
Goodrich,  
Gordon,  
Grant,  
Green,

Mr. Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Lamb,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Morse,  
O'Dell,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,

Mr. Robinson,  
Rose,  
Sanderson,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Thompson,  
Van Scoy,  
A. Walker,  
B. Walker,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

70

## NAYS.

Mr. Chamberlain,	Mr. Drew,	Mr. L. Walker,	
Curtis,	Striker,		5
Title agreed to.			

## MOTIONS AND RESOLUTIONS.

Mr. Brunson moved that the House take a recess until 7½ o'clock this evening ;

Pending which,

Mr. O'Dell moved that the House adjourn ;

Which motion did not prevail.

The motion to take a recess was then withdrawn.

Mr. Wixson moved to reconsider the vote by which the House refused to pass

House bill No. 77, entitled

A bill to make an appropriation in aid of the Michigan Pomological State Society ;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Briggs,

The bill was laid on the table.

Mr. Hoyt moved to reconsider the vote by which the House refused to pass House joint resolution No. 28, entitled

Joint resolution to authorize the Commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section No. 16 in township No. 8 south, of range No. 5 east, to George W. Blivin, assignee of primary school land certificate No. 5961 ;

Which motion prevailed.

The question being on the passage of the joint resolution,

On motion of Mr. Gilmore,

The joint resolution was laid on the table.

Mr. E. C. Watkins moved to take from the table House bill No. 93, entitled

A bill to authorize railroad companies to convey their franchises and property under certain circumstances ;

Which motion prevailed.

The question being on agreeing to the following amendment, which was pending when the bill was laid on the table,

*“ Provided, That that the provisions of this act shall only be applicable to railroads lying in the counties of St. Clair and Macomb, or partly in one or both of said counties;”*

The same was not agreed to.

Mr. Ackley moved to amend the bill by adding the following at the end of the bill: *“ Provided, That the company so buying said road shall complete the same within five years from the date of purchase, or said sale shall be void ;”*

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,
Bartholomew,	Gordon,	Rose,
Bonine,	Grant,	Sanderson,
Bottomley,	Green,	Sessions.
Breitung,	Haire,	Shaw,
Briggs,	Harris,	Simpson,
Brunson,	Haywood,	Smith,
Burns,	Hertzler,	Speed,
Cady,	Hewitt,	Striker,
Caplis,	Hoar,	Thompson,
Carter,	Hosner,	Van Scoy,
Chafey,	Howard,	A. Walker,
Chamberlain,	Kellogg,	B. Walker,
Climie,	Luce,	Warren,
Cobb,	Markey,	C. W. Watkins,
Cook,	E. R. Miller,	E. C. Watkins,
Curtis,	R. C. Miller,	Welch,
Drew,	Mitchell,	Welker,
Edwards,	Morse,	West,
Eggleston,	O'Dell,	Wheeler,
Fancher,	Pierce,	Withington,
Fey,	Priest,	Wixson,
Garfield,	Remer,	Zimmerman,
Gilmore,	Ripley,	

71

#### NAYS.

Mr. Buell,	Mr. Lamb,	L. Walker,
Hoyt,	Mr. Rich,	Speaker,

6

Title agreed to.

On motion of Mr. Bottomley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Bonine rose to a question of privilege and stated the question of privilege as follows:

We, the survivors of the late disaster on Grand river, recognize the kindly feeling and sympathy which animated the bosoms of the members of this House, as set forth in the resolution, passed unanimously, congratulating us upon our narrow escape from a watery grave, desire to say that our hearts have been touched by this act. There are events transpiring in the life of every man that memory will retain so long as the mind remains active. Need we say that the remembrance of the above-named resolution will ever retain a grateful place within our hearts?

To the report of the committee on fisheries, to whom was referred this resolution, we will, with the permission of the House, now briefly allude. We thank the gentlemen for the poetical manner in which they brought us forth from the water. They handled us with the greatest tenderness, and with tears in our eyes we humbly submit the following:

The fisheries committee, in a strong poetic strain,  
Have forced their scaly products upon this House again.  
Their fancies are exuberant, and really seem to be  
Inspired by some such liquid as "Cap's" famous "cup of tea."  
Their poem,—the first catch of our fish committee's seine,—  
Is from "seine" men, so say our committee on insane;  
And the fish committee's Cook, no doubt, served up the dish,  
And Wixson knows that humor stale depends upon a fish.  
The other day, McGowan, in urging Miller's bill,  
Declared that a fish diet the head with brains would fill,—  
And showed by his little poem,—watery product of his pen,—  
The result of association with fish committeemen.  
Both Miller and Wheeler are much inclined to jest,  
And we enjoy their merriment, and always with new zest;  
But when Welch put in his line, our capture was complete;  
The fishermen saved the "doctors," not dry, but very neat.  
The House owes its enjoyment of this little bit of fun,  
To our sedate companion, the genial Withington;



But to cure the fish committee of their feeling for our ills,  
We promise them, for nothing, a good strong dose of pills.

EVAN J. BONINE,  
FAYETTE PARSONS.

Mr. Rose offered the following:

*Resolved*, That when this House adjourn to-morrow forenoon it be till 2 o'clock P. M. on Monday next;

Which was adopted.

Mr. Speed moved to reconsider the vote by which the House adopted the resolution.

Mr. Speed moved to lay the motion to reconsider on the table.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and pending the taking of the vote thereon,

On motion of Mr. L. Walker,

The House adjourned.

---

*Lansing, Saturday, April 19, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Patton.

Roll called: quorum present.

Absent without leave, Mr. Edwards.

The question pending being a motion to lay on the table a motion to reconsider the vote by which the House adopted the following:

*Resolved*, That when this House adjourn to-morrow forenoon, it be till 2 o'clock P. M. on Monday next.

The motion to lay on the table was withdrawn.

The question being on reconsidering the vote by which the House adopted the resolution,

The motion prevailed.

The question being on the adoption of the resolution,

On motion of Mr. Grant,

The resolution was laid on the table.

Mr. Climie asked and obtained leave of absence until Tuesday evening.

Mr. Bailey asked and obtained leave of absence until Tuesday next.

Mr. Haywood asked and obtained leave of absence until Tuesday next.

Mr. Markey asked and obtained leave of absence for Mr. Edwards indefinitely, on account of sickness.

Mr. C. W. Watkins asked leave of absence for Mr. Thomas, until Tuesday;

Leave was not granted.

Mr. Bonine asked and obtained leave of absence until Tuesday.

Mr. Shaw asked and obtained leave of absence until Monday noon.

Mr. Welch asked and obtained leave of absence until Monday evening.

Mr. Sanderson asked and obtained leave of absence until Monday evening.

Mr. Rose asked and obtained leave of absence until Monday evening.

Mr. Kellogg asked and obtained leave of absence until Monday evening.

Mr. Howard asked and obtained leave of absence until Monday evening.

Mr. Cobb asked and obtained leave of absence until Monday evening.

Mr. Goodrich asked and obtained leave of absence until Monday evening.

Mr. Smith asked and obtained leave of absence until Monday evening.

Mr. Cady asked and obtained leave of absence until Monday evening.

Mr. Buell moved to reconsider the vote by which the House granted Mr. Shaw leave of absence ;

Which motion prevailed.

The question being on granting the leave of absence,

The same was granted.

Mr. Eggleston, leave being granted, moved to take from the table House manuscript bill, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850; as amended by the several acts amendatory thereof, approved March 14, A. D. 1871,

Which motion prevailed.

The question being upon the passage of the bill,

The bill having been read a third time, pending the taking of the vote on the passage thereof,

Mr. Eggleston moved to amend the bill by striking out in section 28, the words, "the salary to be paid the recorder shall be the same as is allowed or may from time to time be allowed by law to the circuit judges of the State, and shall be paid by the State in the same manner as circuit judges are paid," and by inserting in lieu thereof the words, "the recorder shall be paid a salary of one thousand dollars per annum, five hundred of which shall be paid by the city of Grand Rapids, and five hundred by the State; said five hundred dollars to be paid by the State shall be paid in the same manner and at the same time that salaries of circuit judges are paid ;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Bartholomew,  
Bottomley,  
Breitung,  
Brunson,

Mr. Grant,  
Green,  
Haire,  
Harris,  
Hertzler.

Mr. Rose,  
Sanderson,  
Shaw,  
Simpson,  
Smith,

Mr. Buell,	Mr. Hewitt,	Mr. Speed,
Burns,	Hoar,	Striker,
Cady,	Howard,	Van Scoy,
Chafey,	Hoyt,	A. Walker,
Climie,	Lamb,	B. Walker,
Cobb,	Lewis,	Warren,
Cook,	Lockwood,	C. W. Watkins,
Curtis,	Markey,	E. C. Watkins,
Drake,	E. R. Miller,	Welch,
Drew,	Mitchell,	Welker,
Eggleston,	Pierce,	West,
Fey,	Remer,	Wheeler,
Garfield,	Rich,	Withington,
Gilmore,	Ripley,	Zimmerman,
Goodrich,	Robinson,	Speaker,
Gordon,		

61

## NAYS.

Mr. Bonine,	Mr. Hosner,	Mr. O'Dell,
Briggs,	Kellogg,	Priest,
Carter,	Luce,	Sessions,
Chamberlain,	R. C. Miller,	L. Walker,
Fancher,	Morse,	Wixson,

15

Title agreed to.

On motion of Mr. Eggleston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## PRESENTATION OF PETITIONS.

By Mr. Shaw: Petition of Dwight May and 23 others, attorneys of Kalamazoo county, protesting against the passage of Senate bill providing for a code of practice, etc., in this State;

Referred to the committee on judiciary.

By Mr. Grant: Petition of Samuel A. McCoskry, H. N. Walker, and 14 others, asking for the purchase by the State of the full length portrait of the late Dr. Douglass Houghton.

Referred to the special committee on that subject.

The following is the petition:

DETROIT, April, 1873.

*To the Honorable, the Legislature of the State of Michigan:*

It is known to us that the full length portrait of Dr. Douglass Houghton, by Prof. Bradish, has been offered to your hon-

orable body for purchase for the State. The picture has been generally seen in Detroit, and the undersigned have seen and examined it with care. We knew Dr. Houghton well; some of us were intimate with him from his first arrival here. We cannot be mistaken as to the strong personal resemblance, and our impressions are strengthened by the approval of the members of Dr. Houghton's family. We heartily recommend its purchase. It is a memorial which the State of Michigan cannot afford to lose. Forty years have passed since Dr. Houghton landed in this city. In a few more years the early friends of this gifted man will have passed away. But while these remain they desire to place on record their testimony that the portrait by Mr. Bradish is most decided in likeness, that it is a noble and original work of art, and eminently worthy to be the property of the State.

SAM'L A. McCOSKRY,  
H. N. WALKER,  
R. McCLELLAND,  
JAMES H. CAMPBELL,  
H. H. EMMONS,  
A. SHELEY,  
BELA HUBBARD,  
W. N. CARPENTER,  
ELISHA TAYLOR,  
WARNER WING,  
R. T. TOMS,  
F. B. SIBLEY,  
A. D. FRASER,  
J. S. FARAND,  
EDWARD LYON,  
WESLEY TRUESDAIL.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary :

The committee on judiciary, to whom was re-referred House bill No. 381, entitled

A bill to amend sections 647 and 649, relative to the term of office of the commissioners of highways; section 695, relative to filling vacancies in the office of overseer of highways; sections 728, 729, 730, 731, 732, 733, 734, and 735, relative to overseers and commissioners of highways; sections 752, 753, 754, and 755, relative to the raising of money by tax or to borrow money to build or repair bridges, chapter 12 of the compiled laws of 1871; to amend chapters 23, 24, 25, 27, 28, and 31; sections 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270 and 1278, chapter 26 of the compiled laws of 1871, relative to highways, bridges, and private roads; to amend sections 1753 and 1758, chapter 47 of the compiled laws of 1871, relative to the county drain law; to amend sections 2027, 2028, 2029, 2030, 2031, 2032, 2033, and 2034, chapter 59 of the compiled laws of 1871, relative to animals running at large; to amend chapter 68 of the compiled laws of 1871, relative to the spread of Canada thistles; to amend section 2587, chapter 78 of the compiled laws of 1871, relative to plank road companies;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

The amendments made by the committee to the bill are simply changing the enacting clause so as to conform with the title of the bill, and the printed sections in the bill so as to correspond with the sections found in the compiled laws of 1871, in the acts proposed to be amended; and also to add two new sections to chapter 29 of the compiled laws of 1871, being compiler's sections 1317 and 1321, relative to planting trees and shrubs in the highway; and also to add a new section to this act to stand as section 2.

The object of this bill is to correct a defect which crept into

our laws by not amending them so as to conform to the constitution of 1850. Upon an examination of the convention debates relative to township officers and government, as found on pages 672, 673, 674, 791, 794, 805, and 900 of said convention debates, the question whether any commissioner, one, two, or more commissioners of highways, should be included in the list of township officers, was thoroughly discussed. Some members of that convention were not in favor of any commissioner of highways, others were in favor of two, three, and four commissioners, and others in favor of one, which was adopted by that convention, as is seen from the amendment made to the report of the committee on arrangement and phraseology, which reads as follows :

"Sec. 1. There shall be elected annually, on the first Monday in April, in each organized township, one supervisor, one township clerk, who shall be *ex-officio* school inspector, one township treasurer, one school inspector, not exceeding four constables, and one overseer of highways for each highway district, in whom, together with the justices of the peace, shall be vested the township government, to be defined and limited by the Legislature."

Mr. J. Bartow moved to suspend the rule, in order that a motion might be entertained to amend section 1, by inserting in line 2, the words "one commissioner of highways;" which motion prevailed by a vote of 41 yeas to 17 nays, and being two-thirds vote therefor, the rule was suspended. The amendment then proposed by Mr. Bartow was agreed to.

As such Convention debates are the only and final tribunal of appeal for the interpretation and decision of constitutional questions, the question concerning the number of commissioners for townships by an appeal to said debates, seems clearly, and without dispute, settled; and that is, "one" commissioner of highways, whose duties, as well as those of the other township officers, were to be fixed by the legislature, as they have been. The name constitutional defect, exists in regard to the

number of school inspectors. By reference to the aforesaid section, the law in regard to which, should be amended.

The bill which has been printed, and which your committee report back, seems to remedy this constitutional defect, and changes the present law from three commissioners to that of one.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gordon,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Gordon,

The bill was placed on the order of third reading.

By the committee on Reform School:

The committee on Reform School, to whom was referred Senate bill No. 257, entitled

A bill making appropriations for the Reform School for the years 1873 and 1874,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and recommend that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

WM. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Chamberlain,

The bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was referred Senate manuscript bill, entitled

A bill to attach school district No. 5 of the township of



Huron to the incorporated school district known as "the public schools of the village of Hudson,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

J. C. BRUNSON, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gilmore,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. Substitute for House bill No. 210, entitled

A bill providing for the location, establishment, and organization of an additional asylum for the insane;

2. House bill No. 215, entitled

A bill to enable agricultural and horticultural societies and horse fairs to extend a more perfect protection of their property, and the property of exhibitors at fairs, and to allow the board of managers to appoint police for that purpose;

3. House bill No. 156, entitled

A bill making an appropriation for the support of the State Public School, and providing for building additional cottages and other improvements for the same;

4. House bill No. 134, entitled

A bill to amend section 1 of an act entitled "An act to incorporate the city of Niles," approved February 12, 1859, as amended by section 1 of an act entitled "An act to amend an act entitled 'An act to incorporate the city of Niles,'" approved February 12, 1859, approved March 16, 1867;

5. House bill No. 34, entitled

A bill to amend act No. 154 of the session laws of 1871,

entitled "An act to amend section 1 of an act entitled 'An act to authorize proceedings by garnishment in the circuit courts and in the district of the Upper Peninsula,' approved March 16, 1861," being section 6465 of the compiled laws of 1871 ;

6. House bill No. 314, entitled

A bill to establish a uniformity of text-books in the public schools of Berrien county ;

7. House bill No. 61, entitled

A bill to amend sections 5657 and 5658 of the compiled laws of 1871, being sections 7 and 8 of an act entitled "An act to provide for the appointment of a State reporter," approved April 17, 1871 ;

8. House bill No. 152, entitled

A bill to relieve mining corporations and their officers in the Upper Peninsula, who have failed to make their reports and returns as required by law ;

9. House bill No. 260, entitled

A bill to amend section 23 of chapter 163 of the revised statutes of 1846, being section 7865 in chapter 259 of the compiled laws, entitled "The arrest and examination of offenders, commitment for trial, and taking bail ;"

10. House bill No. 223, entitled

A bill to legalize the proceedings of the townships of Tawas and Grant, in Iosco county, in aiding in the construction of the Tawas City and Grant plank road ;

11. House bill No. 303, entitled

A bill to correct and legalize the deeds, mortgages, and contracts executed by and to the First Methodist Episcopal Church in the city of Grand Rapids ;

12. House bill No. 222, entitled

A bill to incorporate the village of South Lyon ;

13. House bill No. 234, entitled

A bill to authorize the board of supervisors of Ionia county to apportion and cause to be levied a tax, in the year A. D.

1873, upon certain portions of fractional school district No. 5 of the townships of Portland, Danby, Orange, and Sebawa ;

14. House bill No. 130, entitled

A bill to amend section 1 of chapter 26 of compiled laws of 1871 (page 439), relative to the laying out of highways through orchards ;

15. House bill No. 151, entitled

A bill to provide for the removal of attachments, the same being a new section to chapter 201 of the compiled laws of 1871, being "An act relative to proceedings against debtors by attachment," to stand as section 32 ;

16. House bill No. 310, entitled

A bill to amend section 71 of chapter 136 of the compiled laws of 1871, relative to the formation of school districts, and being section 3641 of the compiled laws of 1871 ;

17. House bill No. 99, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor ;

18. House bill No. 167, entitled

A bill to amend sections 2 and 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws of 1871, and to authorize the salary of judges of probate," approved February 15, 1859, being sections 7436 and 7439 of the compiled laws of 1871 ;

19. Also the following :

House joint resolution No. 7, entitled

Joint resolution asking Congress to provide for the early construction of a Niagara Falls Ship Canal ;

C. D. LUCE, *Acting Chairman.*

Report accepted.

By the committees on insurance and judiciary :

The joint committees on insurance and judiciary to whom was referred Senate bill No. 48, entitled

A bill relative to the service of process upon insurance companies not incorporated under the laws of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. W. WATKINS,  
*Chairman Insurance.*  
H. A. SHAW,  
*Chairman Judiciary.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

The Speaker called the Speaker *pro tem.* to the chair.

MESSAGE FROM THE GOVERNOR.

The Speaker *pro tem.* announced the following :

EXECUTIVE OFFICE, }  
*Lansing, April 18, 1873.* }

*To the House of Representatives :*

I have this day approved, signed, and deposited in the office of the Secretary of State the following entitled acts :

1. An act to incorporate the village of South Lyon ;
2. An act to authorize the board of supervisors of Ionia county to apportion and cause to be levied a tax, in the year A. D. 1873, upon certain portions of fractional school district No. 5 of the townships of Portland, Danby, Orange, and Sebewa ;
3. An act to amend section 1960 of compiled laws of 1871, relative to disorderly persons ;
4. An act to provide for the removal of attachments ;
5. An act to amend " An act to create a soldiers' aid fund :
6. An act to amend section 1 of " An act to incorporate the village of Leslie ; "
7. An act to amend " An act for the re-organization of the military forces of the State ;
8. An act to amend " An act to incorporate the city of East Saginaw ; "

9. An act to incorporate the village of L'Anse, in the county of Houghton ;

JOHN J. BAGLEY.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following :

SENATE CHAMBER, }  
Lansing, April 18, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

Senate bill No. 183, entitled

A bill to amend section 4 of an act entitled "An act to regulate the manufacture, and provide for the inspection of salt," approved March 6, 1869, being section 1461, chapter 33 of the compiled laws of 1871,

In accordance with the request of the House this day received.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Fey,

The rule limiting the time in which a reconsideration may be had, was suspended.

Mr. Fey moved to reconsider the vote by which the House passed the bill.

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Fey,

The bill was recommitted to the committee on lumber and salt interests.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
Lansing, April 18, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 164, entitled

A bill to amend an act entitled "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and mechanic arts," approved March 18, 1863;

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 2, of section 3, the word "three," and insert in lieu thereof the word "five;"

Also, by striking in line 8 the word "five," and insert in lieu thereof the word "seven;"

By adding four new sections thereto, to stand as sections 13, 14, 15, and 16, and to read as follows:

Sec. 13. The Agricultural Land Grant Board is hereby authorized and required to appoint one or more persons to examine the Agricultural College lands, now unsold, and to estimate the balance of said lands, and the quality of timber and value thereof upon each subdivision of such land, and to make report to said Board of Control of such other matters pertaining to such land as will enable such Board to determine the value thereof.

Sec. 14. Upon the receipt of such report the board of control shall proceed with all reasonable dispatch to determine and appraise the value and fix the price at which each subdivision of lands shall be sold, and certify from time to time to the Commissioner of the State Land Office the price so determined.

Sec. 15. From and after the date of such certificate to the Commissioner of the State Land Office such Commissioner shall sell the subdivision covered thereby only at such price as shall be fixed by the board of control, but subject to all the provisions of law now in force except as to the price of the lands covered by such certificate.

Sec. 16. The expense incurred in the examination of such lands shall be certified and paid as provided in section 10 of this act.

And further to inform the House that the Senate has amended the title by adding thereto the words "and to add four new sections thereto, to stand as sections 13, 14, 15, and 16;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Rich moved that the House concur in the amendments made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Bartholomew,	Mr. Lamb,	Mr. Smith,	
Burns,	Rich,	Speed,	
Cook,	Sanderson,	L. Walker,	
Garfield,			10

NAYS.

Mr. Ackley,	Mr. Harris,	Mr. Remer,	
Bottomley,	Hertzler,	Ripley,	
Briggs,	Hewitt,	Robinson,	
Brunson,	Hoar,	Rose,	
Buell,	Hosner,	Sessions,	
Carter,	Hoyt,	Shaw,	
Chafey,	Kellogg,	Simpson,	
Chamberlain,	Lewis,	Van Scoy,	
Curtis,	Lockwood,	B. Walker,	
Drake,	Luce,	C. W. Watkins,	
Fancher,	Markey,	E. C. Watkins,	
Fey,	E. R. Miller,	Welker,	
Gilmore,	R. C. Miller,	West,	
Goodrich,	Mitchell,	Wheeler,	
Gordon,	Morse,	Withington,	
Grant,	O'Dell,	Wixson,	
Green,	Pierce,	Zimmerman,	
Haire,	Priest,		53

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER,  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House that Senators McGowan, Mickley, and Gray have been appointed as the committee on the part of the Senate, to confer with the committee already appointed by the House on the disagreements between the two houses relative to Senate bill No. 109 entitled

A bill to facilitate the collection of recognizances in criminal cases.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 255, entitled

A bill relative to convicts in the State Prison,

And to inform the House that the Senate has amended the same as follows:

1. By striking out section 1 ;
2. By striking out "section 2" in line one of section 2, and inserting in lieu thereof, "Section 1, the people of the State of Michigan enact that;" also by making section 3 to stand as section 2 ;
3. By adding to section 1, after the word "education" in line 8 of section 1 as amended, the following:

*Provided,* Such time for instruction shall not interfere with the usual established hours of labor ;

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has



ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Hoyt,

The bill was laid on the table.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 227, entitled

A bill to amend section 4 of an act entitled "An act to provide for the incorporation of savings associations," approved April 3, 1869, as amended by act approved April 17, 1871, being section 2260 of compiled laws of 1871 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on private corporations.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill entitled

A bill to change the name of the town of Brooklyn, Jackson County, to that of Norvell, and to fix the boundary thereof ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Withington,

The rules were suspended, and the bill was placed on the order of third reading.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 224, entitled

A bill to provide wives with property and maintenance from their husband's estate, when neglected or deserted by them ;

And to inform the House that the Senate has amended the same as follows :

1. By striking out in line 1, the word "utterly ;"
2. By inserting after the word "wife," in line 1 of section 1, the words, "or shall have deserted his wife ;"
3. By inserting in line 4 of same section, after the word "her," where it first occurs in said line, the words, "as alimony, the use of ;"
4. By striking out the word "suit," where it occurs in lines 5 and 6 of same section, and inserting the word "proceeding," in lieu thereof ;
5. By striking out the word "suit," in line 1 of section 2, and inserting in lieu thereof, the word "proceeding ;"
6. By striking out the word "suit," in lines 1 and 3, of section 3, and inserting in lieu thereof the word "proceeding ;"

7. By adding to section 3 the following: "And the court shall have power to change the allowance from time to time, according to circumstances, and may revoke such allowance altogether, on satisfactory proof of voluntary and permanent reconciliation: *Provided, however,* That such allowance shall be only during the joint lives of such husband and wife."

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Morse moved that the House concur in the amendments made to the bill by the Senate ;

Which motion did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rich,
Bartholomew,	Hertzler,	Ripley,
Bottomley,	Hewitt,	Robinson,
Breitung,	Hoar,	Rose,
Briggs,	Hoyt,	Sanderson,
Brunson,	Lewis,	Shaw,
Buell,	Lockwood,	Speed,
Burns,	Markey,	Van Scoy,
Carter,	E. R. Miller,	B. Walker,
Cook,	R. C. Miller,	E. C. Watkins,
Drake,	Mitchell,	Wheeler,
Eggleston,	O'Dell,	Withington,
Fancher,	Pierce,	Wixson,
Fey,	Priest,	Zimmerman,
Goodrich,	Remer,	Speaker <i>pro tem.</i> ,
		45

#### NAYS.

Mr. Chafey,	Mr. Gordon,	Mr. Morse,
Chamberlain,	Haire,	L. Walker,
Curtis,	Hosner,	O. W. Watkins,
Garfield,	Lamb,	West,
Gilmore,	Luce,	14

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

House bill No. 299, entitled

A bill to prevent the advertisement and sale of drugs or medicines designed to produce criminal abortion ;

House bill No. 321, entitled

A bill to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relating to judgments and executions ;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 307, entitled

A bill to repeal section 4311, chapter 155 of the compiled laws of 1871, the same being an act entitled "An act to provide for letters testamentary and other proceedings on the probate of a will ;"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
Lansing, April 18, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills :

Senate bill No. 96, entitled

A bill to amend section 9 of an act entitled "An act to amend sections 9 and 34, of chapter 103 of the revised statutes of 1846, compiled laws volume 2, sections 4351 and 4376, approved February 2, 1861," being section 5978 of chapter 189, compiled laws of 1871, relative to the qualifications of jurors;

Senate bill No. 260, entitled

A bill to prohibit the running at large of swine in public highways;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The second named bill was read a first and second time by its title, and referred to the committee on judiciary.

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
Lansing, April 18, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. House bill No. 112, entitled

A bill to amend section 1 of an act entitled "An act to aid

in the construction of that part of the Cass river and Bay City State road, established under act No. 345 of the laws of 1865, between the forks of Cass River and Unionville in Tuscola county, and making an appropriation of swamp land therefor," and being act No. 311 of the session laws of 1871;

2. House bill No. 11, entitled

A bill to amend section 10 of chapter 47 of the revised statutes of 1846, being section 2022 of chapter 58, of the compiled laws of 1871, relating to the sale of strays and the disposition of proceeds;

3. House bill No. 270, entitled

A bill to amend an act entitled "An act to provide for fees of appraisers, commissioners, and others," the same being section 7449, chapter 239 of the compiled laws of 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The three named bills were referred to the committee on engrossment and enrollment, for enrollment.

Mr. Rich moved that the House now adjourn until 2 o'clock on Monday;

Which motion did not prevail.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
*Lansing, April 18, 1878.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 261, entitled

A bill to amend an act entitled "An act to ascertain the annual cereal products of the State of Michigan," approved February 14, 1859;

2. Senate bill No. 262, entitled

A bill to promote the interests of horticulture and agriculture in the State of Michigan ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were read a first and second time by their titles, and referred to the committee on agriculture.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 84, entitled

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relative to primary schools,

And to inform the House that the Senate has amended the same as follows:

1. By striking out the word "eleven," in line one of section 1, and inserting in lieu thereof the word "twelve;" also, by striking out the words "ninety-two," in line 3 of same section, and inserting in lieu thereof the words "ninety-three;"

2. By striking out recited section 11 ;

3. By adding a new section to stand as section 12 and to read as follows :

Sec. 12. Special meetings may be called by the district board, and it shall be the duty of said board, or any one of them, to call such meetings on the written request of not less than five legal voters of the district, by giving the notice required in the next succeeding section, and the questions upon which the district is empowered to act in section 24

of this act at the annual meeting, may instead thereof be determined at a special meeting called for that purpose at any time within two months previous to the annual meeting. No business shall be transacted at a special meeting unless the subject is indicated in the notice for said meeting;

And to further inform the House that the Senate has amended the title by striking out the word "eleven," and inserting in lieu thereof the word "twelve;" also by striking out the words "ninety-two," and insert in lieu thereof the words "ninety-three;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Shaw,

The bill was laid on the table.

Mr. Rich moved that there be a call of the House;

Which motion prevailed.

#### PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave: Messrs. Breitung, Buell, Caplis, Harris, Hosner, Thomas, Van Scoy, C. W. Watkins.

On motion of Mr. Morse,

The Sergeant-at-Arms was despatched after the absentees.

The Sergeant-at-Arms announced Mr. Breitung at the bar of the House.

On motion of Mr. Warren,

Mr. Breitung was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Van Scoy at the bar of the House.



On motion of Mr. Brunson,  
Mr. Van Scoy was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Hosner at the bar of the House.

On motion of Mr. Hoar,  
Mr. Hosner was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Caplis at the bar of the House.

On motion of Mr. Bottomley,  
Mr. Caplis was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Harris at the bar of the House.

On motion of Mr. Hoar,  
Mr. Harris was admitted within the bar, rendered an excuse and took his seat.

On motion of Mr. Chamberlain,  
All further proceedings under the call were dispensed with, save that the Sergeant-at-Arms was directed to use due diligence, to bring in the absentees.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
Lansing, April 18, 1878. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 17, entitled

Joint resolution relative to the appointment of an agent for the collection of the amount due from the United States to the State of Michigan, on account of lands in this State disposed of by Indian reservation, military warrants, and land scrip issued for military services in the wars of the United States ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment for enrollment.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 327, entitled

A bill to provide for special appeals from decrees in chancery ;

And to inform the House that the Senate has amended the same by striking out section 4 ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoyt moved that the House concur in the amendments made to the bill by the Senate ;

Pending which,

On motion of Mr. Hoyt,

The bill was laid on the table.

The Speaker *pro tem.* also announced the following :

SENATE CHAMBER, }  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 240, entitled

A bill to amend section 2163 of the compiled laws of 1871,

being section 1 of an act entitled "An act for the encouragement of agriculture, manufactures, and the mechanic arts," approved March 16, 1849;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on agriculture.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 335, entitled

A bill to amend sections 2, 4, 5, and 6, of an act entitled "An act to provide for laying out and constructing a State road from the northern terminus of the Ovid and St. Charles State road northerly, to intersect the St. Louis and Saginaw plank road, and appropriating certain non-resident highway taxes for the construction of the same," approved March 18, 1871, being act No. 354 of the session laws of the year 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills;

1. House bill No. 360, entitled

A bill to provide for assessment and taxation of lands known as railroad lands;

2. House bill No. 254, entitled

A bill to amend section 55, being section 8100, chapter 267 of the compiled laws of 1871, relative to the State Prison and the government and discipline thereof;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAS. H. STONE,

*Secretary of the Senate.*

The two bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
*Lansing, April 18, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to re-transmit the following:

*Resolved* (the House concurring), That a committee, consisting of two on the part of the Senate and three on the part of the House, be appointed to examine into and investigate the matters set forth in the message of his Excellency the Governor, with respect to the alleged frauds and fraudulent transactions that have heretofore taken place in the office of the Commissioner of the State Land Office; and that such committee have full power to send for persons and papers, examine witnesses, and take all such measures in respect to

such alleged frauds and fraudulent transactions as may be necessary to a full and complete investigation thereof. And that said committee also have authority to sit for such examination after the adjournment of the Legislature, in case the committee cannot complete such investigation before the adjournment thereof, and that they report to the Legislature the testimony taken by them, with their opinion therein, as speedily as possible; and in case the Legislature are not in session when such committee are ready to report, then in such case said committee shall report to the Governor.

Which resolution the House amended by adding thereto the following:

"And the Clerk of the House is hereby made clerk of the said joint committee ;"

And to inform the House that the Senate has amended said amendment by adding thereto "and said committee are authorized, in their discretion, to employ short-hand reporter ;"

In which House amendment, as thus amended, the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoyt moved that the House concur in the amendments made to the resolution by the Senate ;

Which motion prevailed.

The committee on lumber and salt interests, leave being granted, reported as follows :

The committee on lumber and salt interests, to whom was referred Senate bill No. 183, entitled

A bill to amend section 4 of an act entitled "An act to regulate the manufacture and provide for the inspection of salt," approved March 6th, 1869, being section 1461, chapter 33, of the compiled laws of 1871.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, with the accompanying amendment therefor, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

I. K. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fey,

The House concurred in the amendments made to the bill by the committee.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Hertzler,	Mr. Ripley,
Bottomley,	Hewitt,	Robinson,
Briggs,	Hoar,	Sessions,
Brunson,	Hosner,	Shaw,
Burns,	Hoyt,	Simpson,
Caplis,	Lamb,	Speed,
Chafey,	Lewis,	Van Scoy,
Chamberlain,	Lockwood,	B. Walker,
Croswell,	Luce,	L. Walker,
Cook,	Markey,	Warren,
Curtis,	E. R. Miller,	Welker,
Drake,	Mitchell,	West,
Fancher,	Morse,	Wheeler,
Fey,	O'Dell,	Withington,
Gilmore,	Pierce,	Wixson,
Gordon,	Priest,	Zimmerman,
Haire,	Remer,	Speaker, <i>pro tem.</i>
Harris,	Rich,	53

#### NAYS.

Mr. Garfield,

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Title agreed to.

On motion of Mr. Lockwood,

The order of

#### THIRD READING OF BILLS,

Was passed over for the day.

## MOTIONS AND RESOLUTIONS.

The Sergeant-at-Arms announced that he had found Mr. Buell confined to his bed sick.

On motion of Mr. Hoar,

Leave of absence was granted Mr. Buell for the day.

Mr. Brunson moved to take from the table, Senate bill No. 100, entitled

A bill to prescribe the course of study in common schools;  
Which motion prevailed.

The question being on concurring in the action of the committee of the whole in striking out all after the enacting clause,

The motion did not prevail.

On motion of Mr. Brunson,

The bill was recommitted to the committee on education.

Mr. Gilmore moved to reconsider the vote by which the House refused to concur in the amendments made by the Senate to House bill No. 224, entitled

A bill to provide wives with property and maintenance from their husband's estate when neglected or deserted by them;

Which motion prevailed.

On motion of Mr. Gilmore,

The bill was laid on the table.

Mr. Shaw moved to take from the table House joint resolution No. 10, entitled

Joint resolution submitting an amendment to article 9 of the Constitution of this State;

Which motion prevailed.

On motion of Mr. Shaw,

The bill was made the special order for Monday evening.

On motion of Mr. Shaw,

Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for the revision of the Constitution of the State of Michigan,

Was made the special order for Monday evening at 7½ o'clock.

GENERAL ORDER.

On motion of Mr. Withington,

The House went into committee of the whole on the general order,

Mr. Rich in the chair.

After some time spent therein, the committee rose; and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled bills :

House bill No. 313, entitled

A bill to protect water-power owners;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

House bill No. 366, entitled

A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 7, 1834, and the acts amendatory thereto;

But not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. T. RICH, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading.

On motion of Mr. Hoyt,

Leave was granted the committee to sit again.

On motion of Mr. Hoyt,

The House took a recess until 2 o'clock this afternoon.



## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the

## GENERAL ORDER.

On motion of Mr. Bottomley,

The House went into committee of the whole on the general order,

Mr. Rich in the chair.

After some time spent therein the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 366, entitled

A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 17th, 1834, and the acts amendatory thereto.

2. House bill No. 367, entitled

A bill to amend section 7435, chapter 139 of the compiled laws of 1871, relative to the salary of judges of probate;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

3. House bill No. 370, entitled

A bill to regulate the hiring or letting of contracts for State Prison labor;

4. Senate bill No. 203, entitled

A bill to authorize the Inspectors of the State Prison to grant to life convicts the right to correspond with near friends and relatives;

5. Senate bill No. 239, entitled

A bill to authorize the city of Hastings, in the county of

Barry, to borrow money for bridge purposes within said city, and issue bonds therefor;

6. Senate bill No. 171, entitled

A bill to amend sections 1, 4, and 33 of act No. 180 of the session laws of 1871, being sections 3532, 3535, and 3564, chapter 134 of the compiled laws of 1871, entitled "An act to re-organize the State Agricultural College and establish a State Board of Agriculture," approved March 15th, 1861;

7. House bill No. 258, entitled

A bill to provide for the perpetuation of evidence of maps or plats of towns, cities, villages, etc;

8. House bill No. 297, entitled

A bill to provide for the payment of certain ditch or drainage orders;

9. Senate bill No. 241, entitled

A bill to amend section 31 of an act entitled "An act to incorporate the village of Coopersville," being act No. 208 of the session laws of 1871, approved March 4, 1871;

10. House bill No. 379, entitled

A bill for the relief of Henry Gilbert;

11. House bill No. 380, entitled

A bill to authorize the State Pomological Society to employ an entomologist, and to make provision for his payment;

12. House bill No. 336, entitled

A bill to define a legal day's work;

13. House bill No. 180, entitled

A bill to prevent the destruction of fish in Fisk's and Reed's Lake in the township of Grand Rapids, in the county of Kent;

14. Senate bill No. 191, entitled

A bill to amend section 1 of an act entitled "An act to confirm the record of letters of attorney in certain cases," approved April 17, 1871, being section 4256 of the compiled laws of 1871;

Have made no amendments thereto, and have directed

their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

15. House bill No. 377, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof;

And have directed their chairman to report the same back to the House, with the recommendation that it be referred to the committee on municipal corporation.

The committee of the whole have had under consideration the following entitled bills:

16. House bill No. 368, entitled

A bill to amend section 7436 of the compiled laws of 1871, being an act entitled "An act to provide for the salary of probate judges,

17. House bill No. 376, entitled

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2441 of of compiled laws of 1871;

18. House bill No. 256, entitled

A bill to provide for the deposit and disposition of the shares of absent heirs on the final settlement of the estate of deceased persons;

19. Senate bill No. 86, entitled

A bill to amend sections 4 and 5 of an act entitled "An act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance, and recovery of the insane," approved February 14, 1859, being sections 1914 and 1915 of chapter 52 of the compiled laws of 1871;

20. Senate bill No. 154, entitled

A bill to amend section 2 of "An act to compel children

to attend school," being section 3738 of the compiled laws of 1871;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution :

1. House joint resolution No. 29, entitled

Joint resolution instructing the Commissioner of the State Land Office to make a settlement with and grant a certificate to Moses Kingsley ;

The committee of the whole have also had under consideration the following entitled joint resolution :

2. Senate joint resolution No. 4, entitled

Joint resolution proposing an amendment to section 1 article 9 of the constitution of the State relative to salaries,

And have directed their chairman to report the same back to the House, with the recommendation that it be made the special order for Monday evening.

J. T. RICH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bottomley,

The House concurred in the amendments made to the first two named bills by the committee, and they were placed on the order of third reading.

The third, fourth, fifth, sixth, seventh, eighth, ninth, eleventh, twelfth, thirteenth, and fourteenth named bills and first named joint resolution were placed on the order of third reading.

On motion of Mr. Burns,

The House concurred in the recommendation of the committee relative to the fifteenth named bill, and it was referred to the committee on municipal corporations.

On motion of Mr. E. R. Miller,

The tenth named bill was recommitted to the committee on State prison.

On motion of Mr. Hoyt,

The House concurred in the action of the committee relative to the sixteenth, seventeenth, eighteenth, nineteenth, and twentieth named bills, and their several titles were laid on the table.

On motion of Mr. Warren,

The House concurred in the recommendation of the committee relative to the second named joint resolution, and it was made the special order for Monday evening.

Mr. Bottomly moved that the House adjourn ;

Which motion did not prevail.

Mr. Speed moved that when the House adjourn it be until 2 o'clock on Monday afternoon.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion did not prevail by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Bartholomew,  
Brunson,  
Buell,  
Burns,  
Caplis,  
Carter,  
Fey,

Mr. Gilmore,  
Gordon,  
Harris,  
Hertaler,  
Hoar,  
Markey,  
Morse,

Mr. Pierce,  
Sessions,  
Speed,  
Van Sooy,  
L. Walker,  
West,  
Zimmerman,

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#### NAYS.

Mr. Bottomley,  
Chafey,  
Cook,  
Curtis,  
Fancher,  
Garfield,  
Green,  
Hosner,

Mr. Hoyt,  
Lamb,  
Lewis,  
Lockwood,  
R. R. Miller,  
O'Dell,  
Priest,

Mr. Ramer,  
Rich,  
Ripley,  
Simpson,  
Wheeler,  
Wixon,  
Speaker,

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On motion of Mr. Hoyt,

The House adjourned.

*Lansing, Monday, April 21, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Wood.

Roll called: not a quorum present.

Mr. Warren moved that there be a call of the House;  
Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave: Messrs. Burns, Caplis, Carter, Dinturff, Eggleston, Fey, Gilmore, Markey, Mitchell, Robinson, Sessions, Speed, Thomas, Van Scoy, Walton, C. W. Watkins, E. C. Watkins, and Zimmerman.

On motion of Mr. Chamberlain,

The Sergeant-at-Arms was despatched after the absentees.

The Sergeant-at-Arms announced Mr. E. C. Watkins at the bar of the House.

On motion of Mr. Welker,

Mr. E. C. Watkins was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Eggleston at the bar of the House.

On motion of Mr. Bottomley,

Mr. Eggleston was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Caplis at the bar of the House.

On motion of Mr. Shaw,

Mr. Caplis was admitted within the bar, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Mitchell at the bar of the House.

On motion of Mr. Rich,

Mr. Mitchell was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Gilmore at the bar of the House.

On motion of Mr. Bottomley,

Mr. Gilmore was admitted within the bar, rendered an excuse, and took his seat.

Mr. Eggleston moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Speed at the bar of the House.

On motion of Mr. Gordon,

Mr. Speed was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Burns at the bar of the House.

On motion of Mr. Brunson,

Mr. Burns was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Carter at the bar of the House.

On motion of Mr. Chamberlain,

Mr. Carter was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. E. C. Watkins,

All further proceedings under the call were dispensed with.

Mr. Parsons asked and obtained leave of absence for Mr. Dinturff for the day.

Mr. Mitchell asked and obtained leave of absence for Mr. Sanderson for the day.

Mr. Brunson asked and obtained leave of absence for Mr. Van Scoy for the day.

Mr. Gilmore asked and obtained leave of absence for Mr. Walton for the day.

Mr. Mitchell asked and obtained leave of absence for Mr. Robertson for the day.

Mr. Ackley asked and obtained leave of absence for Mr. Fey for the day.

Mr. Priest, leave being granted, offered the following:

*Resolved*, That the Clerk of this House is hereby authorized to issue pay certificate up to the day of final adjournment to Hon. George Kipp, on account of his having indefinite leave of absence on account of sickness;

Which was adopted.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State Prison:

The committee on State Prison, to whom was referred House bill No. 379, entitled

A bill for the relief of Henry Gilbert,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. E. R. Miller,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on private corporations:

The committee on private corporations, to whom was referred Senate bill No. 227, entitled

A bill to amend section 4 of an act entitled "An act to provide for the incorporation of savings associations," approved April 3, 1869, as amended by act approved April 17, 1871, being section 2260 of compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to



the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on private corporations :

The committee on private corporations, to whom was referred Senate bill No. 124, entitled

A bill to provide for the incorporation of State, county, or municipal historical, biographical, and geographical societies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on federal relations :

The committee on federal relations, to whom was referred

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors against transferring the land grant of the Port Huron and Milwaukee railroads to any other railroad or corporation, and that the land be restored to entry under the provisions of the homestead law,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

THOMAS C. RIPLEY, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on education :

The committee on education, to whom was referred Senate bill No. 100, entitled

A bill to prescribe the course of study in public schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

#### MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, April 19, 1873.* }

*To the House of Representatives:*

I have this day approved, signed, and deposited with the Secretary of State, the following entitled acts:

1. An act to amend section 71 of chapter 136, compiled laws of 1871, relative to the formation of school districts;
2. An act to amend section 1 of "An act to incorporate the city of Niles;"
3. An act providing for the location, establishment, and organization of an additional asylum for the insane;
4. An act to enable the agricultural and horticultural societies, and horse fairs to extend a more perfect protection to their property, etc.;

5. An act making an appropriation for the support of the State Public School, and providing for building additional cottages, etc.;

6. An act to amend "An act to authorize proceedings by garnishment in the circuit courts and in the district court of the Upper Peninsula;"

7. An act to establish a uniformity of text-books in the public schools of Berrien county;

8. An act to correct and legalize the deeds, mortgages, and contracts executed by and to the First Methodist Episcopal Church in the city of Grand Rapids;

9. An act to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor;

10. An act to provide for the assessment and taxation of lands known as railroad lands;

11. Joint resolution asking Congress to provide for the early construction of a Niagara Falls Ship Canal;

JOHN J. BAGLEY.

The message was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, April 19, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 283, entitled

A bill to "amend section 65 of chapter 58 of the revised statutes of 1846, being section 3635 of the compiled laws of 1871, relative to the use of school-houses;"

Which the Senate amended by striking out all of line 4, of recited section 65, after the word "meetings," and insert in lieu thereof the following: "Unless by a vote at a district meeting it shall be determined otherwise,"

In which amendment the House non-concurred.

And to inform the House that the Senate insist upon such amendment.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. E. R. Miller moved that the House recede from its non-concurrence, and agree to the amendment made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robertson,
Bailey,	Greusel,	Rose,
Bartholomew,	Haire,	Scott,
Bottomley,	Harris,	Sessions,
Breitung,	Hertzler,	Shaw,
Brunson,	Hoyt,	Simpson,
Buell,	Kellogg,	Speed,
Burns,	Lamb,	Striker,
Caplis,	Lewis,	A. Walker,
Chafey,	E. R. Miller,	B. Walker,
Chamberlain,	R. C. Miller,	Warren,
Cook,	Mitchell,	E. C. Watkins,
Curtis,	O'Dell,	Welker,
Drake,	Parsons,	West,
Edwards,	Pierce,	Withington,
Eggleston,	Priest,	Wixson,
Garfield,	Rich,	Speaker,
Goodrich,	Ripley,	

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NAYS.

Mr. Briggs,	Mr. Hewitt,	Mr. Morse,
Carter,	Hosner,	Noyes,
Fancher,	Lockwood,	Thompson,
Gilmore,	Luce,	L. Walker,
Green,	Markey,	Wheeler,

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The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, April 19, 1878.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to re-return to the House the following bill :

House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit ;

Which the Senate has amended as follows :

1. Insert after the word “act,” in line 4 of section 4, the following: “Or without the city limits and within two miles thereof when directed by the common council, and may enter upon land for that purpose;”

2. Add to section 4 the following:

*And provided further,* That the action of said board in platting territory lying outside of the said city, shall not be obligatory or binding upon the inhabitants owning lands lying without the limits of the said city of Detroit, while the said territory remains outside of the city limits;

3. Strike out of line 9, section 16, the word “authorize,” and insert in lieu thereof the word “approve;”

4. Insert after the word “by,” where it first occurs in line 3, section 18, the words “such board and approved by;”

*In which amendment the House non-concurred.*

*And to inform the House that the Senate insists on said amendments.*

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Greusel moved that a committee of three be appointed on the part of the House, to act with a like committee on the part of the Senate, relative to the disagreement existing between the two Houses relative to the bill ;

Which motion prevailed.

The Speaker announced as such committee, Messrs. Greusel, Speed, and E. R. Miller.

Mr. Striker, leave being granted, moved to take from the table Senate manuscript bill entitled

A bill for the relief of Henry Bera, late treasurer of the township of Johnstown, in the county of Barry;

Which motion prevailed.

On motion of Mr. Striker,

The bill was recommitted to the committee of the whole, and placed on the general order.

On motion of Mr. Shaw,

The order of

#### THIRD READING OF BILLS.

Was passed for the day.

#### GENERAL ORDER.

On motion of Mr. Hosner,

The House went into committee of the whole on the general order,

Mr. Fancher in the chair.

After some time spent therein the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following bill:

1. Senate bill No. 245, entitled

A bill to amend section 1 of an act entitled "An act to provide for the payment of the salaries of the State officers," approved April 17, 1871, being section 420 of the compiled laws of 1871,

And have directed their chairman to report the same back to the House with the recommendation that its further consideration be indefinitely postponed.

The committee of the whole have also had under consideration the following entitled bills:

2. Senate bill No. 182, entitled

A bill to repeal section 26 of an act entitled "An act to provide for the formation of street railway companies,"

approved March 5, 1867, being section 2527 of the compiled laws of 1871 ;

3. Senate bill No. 181, entitled

A bill to repeal section 22 of an act entitled "An act to provide for the construction of tram railways," approved February 13, 1855, being section 2482 of the compiled laws of 1871 ;

4. Senate bill No. 57, entitled

A bill relating to the accounting for money received and expended by certain officers ;

5. Senate bill No. 248, entitled

A bill to amend section 15 of an act entitled "An act to establish a State Public School for dependent and neglected children," approved April 17, 1871, and to add four new sections thereto, to be known as sections 16, 17, 18, and 19 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

6. House bill No. 329, entitled

A bill to amend section 4269 of the compiled laws of 1871 in relation to estates in dower ;

7. Senate bill No. 217, entitled

A bill to fix the liability of cities, townships, and incorporated villages for damages to persons or property, occasioned by defective highways ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

8. Senate bill No. 196, entitled

A bill to provide for the appointment of State Historiographer, and for the publication of a documentary history of the State ;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution :

Senate joint resolution No. 16, entitled

Joint resolution directing the Board of State Auditors to settle certain claims of James S. Dewey against the State of Michigan, arising out of the compilation of 1871 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

L. A. FANCHER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The first named bill was laid on the table.

The second, third, fourth, and fifth named bills, and the joint resolution were placed on the order of third reading.

On motion of Mr. Bottomley,

The House concurred in the amendments made to the sixth and seventh named bills by the committee, and they were placed on the order of third reading.

On motion of Mr. Lockwood,

The House concurred in the action of the committee, relative to the eighth named bill, and the title was laid on the table.

Mr. Scott, leave being granted, moved to take from the table, House bill No. 56, entitled

A bill to repeal act No. 57 of the session laws of 1850, being "An act to incorporate the Plymouth Plank Road Company," approved March 5, 1850 ;

Which motion prevailed.

On motion of Mr. Scott,

The bill was placed on the order of third reading.

The Speaker announced Messrs. Gilmore, Eggleston, and Noyes as the committee on the part of the House to act with



a like committee on the part of the Senate, under the following resolution :

*Resolved* (the House concurring), That a committee, consisting of two on the part of the Senate and three on the part of the House, be appointed to examine into and investigate the matters set forth in the message of his Excellency the Governor, with respect to the alleged frauds and fraudulent transactions that have heretofore taken place in the office of the Commissioner of the State Land Office; and that such committee have full power to send for persons and papers, examine witnesses, and take all such measures in respect to such alleged frauds and fraudulent transactions as may be necessary to a full and complete investigation thereof; and that said committee also have authority to sit for such examination after the adjournment of the Legislature, in case the committee cannot complete such investigation before the adjournment thereof, and that they report to the Legislature the testimony taken by them, with their opinion therein, as speedily as possible; and in case the Legislature are not in session when such committee are ready to report, then in such case said committee shall report to the Governor;

And the Clerk of the House is hereby made clerk of the said joint committee; and said committee are authorized, in their discretion, to employ a short-hand reporter.

Mr. Gilmore requested of the Speaker to be excused from service on the special committee.

The Speaker granted the excuse, and appointed Mr. L. Walker to fill the vacancy thus occasioned.

On motion of Mr. Greusel,

The House took a recess until 7:30 o'clock this evening.

## EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The hour having arrived for the

## SPECIAL ORDER.

On motion of Mr. Ripley,

The House went into committee of the whole on the special order,

Mr. Cook in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

1. Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for the revision of the constitution of the State of Michigan;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolutions:

2. Senate joint resolution No. 4, entitled

Joint resolution proposing an amendment to section 1, article 9 of the constitution of the State relative to salaries;

3. House joint resolution No. 10, entitled

Joint resolution submitting an amendment to article 9 of the constitution of this State;

Have stricken out all after the word "resolved," and have directed their chairman to report that fact to the House, asking concurrence therein.

PETER COOK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gordon,

The House concurred in the amendments made to the first

named joint resolution, and it was placed on the order of third reading.

On motion of Mr. Lockwood,

The House concurred in the action of the committee relative to the two last named joint resolutions and their titles and preambles were laid on the table.

Mr. Morse, leave being granted, offered the following:

*Resolved*, That the Clerk of the House is hereby directed to transmit a respectful message to the Senate requesting the return to the House of Senate bill No. 49, entitled

A bill to amend section 13 of an act entitled "An act to provide for the organization of the Supreme Court, pursuant to section 2 of article 6 of the constitution," approved February 18, 1857, being section 4896 of the compiled laws of 1871.

Mr. Welker moved to lay the resolution on the table;

Which motion did not prevail.

The question being on the adoption of the resolution,

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Bailey,  
Bottomley,  
Briggs,  
Burns,  
Cady,  
Caplis,  
Edwards,

Mr. Fancher,  
Ferguson,  
Green,  
Harris,  
Lockwood,  
Markey,  
Morse,  
Pierce;

Mr. Remer,  
Rich,  
Scott,  
Sessions,  
L. Walker,  
Welch,  
Wheeler,

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#### NAYS.

Mr. Bonine,  
Brunson,  
Buell,  
Carter,  
Climie,  
Cook,

Mr. Hewitt,  
Hoyt,  
Kellogg,  
Lamb,  
Lewis,  
Luce,

Mr. Smith,  
Striker,  
Van Aken,  
A. Walker,  
J. Walker,  
Walton,

Mr. Drake,	Mr. E. R. Miller,	Mr. Warren,
Drew,	R. C. Miller,	C. W. Watkins,
Eggleston,	Mitchell,	E. C. Watkins,
Garfield,	O'Dell,	Welker,
Garvelink,	Parsons,	West,
Gilmore,	Priest,	Withington,
Goodrich,	Ripley,	Wixson,
Gordon,	Shaw,	Zimmerman,
Grant,	Simpson,	Speaker,
Haire,		

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Mr. Lockwood moved to suspend the rules, and that Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for a revision of the constitution of the State of Michigan,

Be placed on its immediate passage.

Pending which,

Mr. E. C. Watkins moved that the House adjourn ;

Which motion did not prevail.

The motion to suspend the rules did not prevail.

On motion of Mr. Gilmore,

The House took up the order of

#### MOTIONS AND RESOLUTIONS.

Mr. C. W. Watkins moved to take from the table Senate bill No. 139, entitled

A bill to define and establish a re-insurance reserve for fire and marine insurance companies doing business in this State ;

Which motion prevailed.

On motion of Mr. C. W. Watkins,

The bill was placed on the order of third reading.

Mr. Warren moved to take from the table House bill No. 84, entitled

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relative to primary schools ;

Which motion prevailed.

The question being on concurring in the following amendments made to the bill by the Senate :

1. By striking out the word "eleven," in line 1 of section 1, and inserting in lieu thereof the word "twelve;" also, by striking out the words "ninety-two," in line 3 of same section, and inserting in lieu thereof the words "ninety-three;"

2. By striking out recited section 11 ;

3. By adding a new section to stand as section 12 and to read as follows :

Sec. 12. Special meetings may be called by the district board, and it shall be the duty of said board, or any one of them, to call such meetings on the written request of not less than five legal voters of the district, by giving the notice required in the next succeeding section, and the questions upon which the district is empowered to act in section 24 of this act at the annual meeting, may instead thereof be determined at a special meeting called for that purpose at any time within two months previous to the annual meeting. No business shall be transacted at a special meeting unless the subject is indicated in the notice for said meeting ;

Mr. Warren moved that the House concur ;

Which motion did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,  
Bailey,  
Bonine,  
Branson,  
Burns,  
Cady,  
Caplis,  
Carter,  
Clunie,  
Cobb,  
Drew,  
Eggleston,

Mr. Garvelink,  
Gordon,  
Grant,  
Haire,  
Hoyt,  
Lamb,  
Lewis,  
Lockwood,  
Markey,  
Mitchell,  
Parsons,

Mr. Remer,  
Rich,  
Shaw,  
Speed,  
Warren,  
C. W. Watkins,  
Welker,  
West,  
Withington,  
Wixson,  
Zimmerman,

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#### NAYS.

Mr. Briggs,  
Chafey,  
Curtis,  
Drake,  
Edwards,

Mr. Hewitt,  
Kellogg,  
Luce,  
E. R. Miller,  
R. C. Miller,

Mr. Scott,  
Simpson,  
Smith,  
Striker,  
L. Walker,

Mr. Ferguson,  
Garfield,  
Gilmore,  
Goodrich,  
Green,

Mr. Morse,  
O'Dell,  
Pierce,  
Priest,  
Ripley,

Mr. Walton,  
Welch,  
Wheeler,  
Speaker.

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Mr. Caplis moved to take from the table House bill No. 139, entitled

A bill requiring the township of Springwells to pay for the improvement of Fort street ;

Which motion did not prevail.

On motion of Mr. Kellogg,

The House adjourned.

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*Lansing, Tuesday, April 22, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Cromack.

Roll called : quorum present.

Absent without leave, Messrs. Cobb, Dinturff, Howard, Rose, Sanderson, Thomas, L. Walker, and E. C. Watkins.

Mr. Hoyt asked and obtained leave of absence for Mr. L. Walker indefinitely, on account of sickness.

Mr. Eggleston asked and obtained leave of absence for Mr. E. C. Watkins for the day.

Mr. E. R. Miller asked and obtained leave of absence for Mr. Cobb for the day.

Mr. Mitchell asked and obtained leave of absence for Mr. Sanderson for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Walton : Protest of C. E. Weaver, A. L. Millard, S. C. Stacy, and 11 others of the Lenawee county bar, against

the codification of the rules of practice and pleadings in the courts of this State ;

Referred to the committee on judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on agriculture :

The committee on agriculture, to whom was referred Senate bill No. 240, entitled

A bill to amend section 2163 of the compiled laws of 1871, being section 1 of an act entitled "An act for the encouragement of agriculture, manufactures, and the mechanic arts," approved March 16, 1849,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JACOB WALTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on agriculture :

The committee on agriculture, to whom was referred Senate bill No. 261, entitled

A bill to amend an act entitled "An act to ascertain the annual cereal products of the State of Michigan," approved February 14, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Your committee believe that the information sought to be gained by the passage of this bill will be of great importance to the people of the State.

JACOB WALTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred House bill 377, entitled

A bill to amend an act entitled " An act to revise the charter of the city of Detroit," approved February 5th, 1857, as amended by the acts amendatory thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. P. HOYT, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cady,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Edwards,

The bill was placed on the order of third reading.

By the committee on agriculture :

The committee on agriculture, to whom was referred Senate bill No. 262, entitled

A bill to promote the interests of horticulture and agriculture in the State of Michigan ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

JACOB WALTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The bill was laid on the table.



By the committee on fisheries:

The committee on fisheries, to whom was referred Senate bill No. 71, entitled

A bill to provide for the construction and maintenance of fish ladders, and providing penalties for the violation of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be laid on the table, and ask to be discharged from the further consideration of the subject.

The committee report as above for the reason that with the amendments made to the bill by the action of the House, the parties who introduced the bill desire this action; and the committee, although in favor of the bill, do not think the time remaining for the work of this House sufficient to carry through the bill.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The bill was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 276, entitled

A bill to organize the township of Sibley, in Keweenaw county;

2. House bill No. 237, entitled

A bill to provide for the incorporation of ecclesiastical bodies and societies;

3. House bill No. 286, entitled

A bill to regulate the transportation of nitro-glycerine and other explosive substances;

4. House bill No. 360, entitled

A bill to provide for assessment and taxation of lands known as railroad lands;

5. House bill No. 112, entitled

A bill to amend section 1 of an act entitled "An act to aid in the construction of that part of the Cass river and Bay City State road, established under act No. 345 of the laws of 1865, between the forks of Cass River and Unionville in Tuscola county, and making an appropriation of swamp land therefor," and being act No. 311 of the session laws of 1871;

6. House bill No. 335, entitled

A bill to amend sections 2, 4, 5, and 6, of an act entitled "An act to provide for laying out and constructing a State road from the northern terminus of the Ovid and St. Charles State road northerly, to intersect the St. Louis and Saginaw plank road, and appropriating certain non-resident highway taxes for the construction of the same," approved March 18, 1871, being act No. 354 of the session laws of the year 1871;

7. House bill No. 254, entitled

A bill to amend section 55, being section 8100, chapter 267 of the compiled laws of 1871, relative to the State Prison and the government and discipline thereof;

8. House bill No. 321, entitled

A bill to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relating to judgments and executions;

9. House bill No. 270, entitled

A bill to amend an act entitled "An act to provide for fees of appraisers, commissioners, and others," the same being section 7449, chapter 239 of the compiled laws of 1871;

10. House bill No. 307, entitled

A bill to repeal section 4371, chapter 155 of the compiled laws of 1871, the same being an act entitled "An act to provide for letters testamentary and other proceedings on the probate of a will;"

11. Also, the following :

House joint resolution No. 17, entitled

Joint resolution relative to the appointment of an agent for the collection of the amount due from the United States to the State of Michigan, on account of lands in this State disposed of by Indian reservation, military warrants, and land scrip issued for military services in the wars of the United States.

C. D. LUCE, *Acting Chairman.*

Report accepted.

#### REPORTS OF SPECIAL COMMITTEES.

The special committees appointed by the House and Senate relative to the disagreement existing between the two Houses relative to Senate bill No. 9, entitled

A bill to provide for the collection of recognizances in criminal cases,

Respectfully report that the two committees have had the bill under consideration, and have directed me to report the same back to the House with the recommendation that the House recede from its amendment, and that the bill be amended,

1. By striking out in line 9, section 1, the word "twenty," and inserting "fifteen" in lieu thereof;

2. By striking out all of section 2;

Recommending that the amendment be concurred in, and ask to be discharged from the further consideration of the subject.

J. H. MCGOWAN,

*Chairman Senate Committee.*

C. B. GRANT,

*Chairman House Committee.*

Report accepted and committee discharged.

Mr. Kellogg moved that the House recede from its amendment to the bill, and that the amendments reported and recommended by the committee be concurred in;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Pierce,
Bailey,	Gordon,	Priest,
Bartholomew,	Grant,	Rich,
Bonine,	Green,	Ripley,
Bottomley,	Greusel,	Robinson,
Breitung,	Haire,	Robertson,
Briggs,	Harris,	Scott,
Brunson,	Haywood,	Sessions,
Burns,	Hewitt,	Shaw,
Cady,	Hosner,	Simpson,
Caplis,	Hoyt,	Smith,
Carter,	Kellogg,	Speed,
Chafey,	Knapp,	Striker,
Chamberlain,	Lamb,	Van Aken,
Olimie,	Lewis,	Van Scoy,
Cook,	Lockwood,	A. Walker,
Curtis,	Luce,	B. Walker,
Drake,	Markey,	Walton,
Edwards,	R. C. Miller,	Warren,
Eggleston.	Mitchell,	Welch,
Ferguson,	Morse,	Welker,
Fey,	Noyes,	Wheeler,
Garvelink,	O'Dell,	Wixson,
Gilmore,	Parsons,	
	NAYS.	71
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## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
Lansing, April 21, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 253, entitled

A bill to provide for the publication and distribution of the laws and documents of this State ;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on printing.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to inform the House that Senators Brewer and Wheeler have been appointed a committee on the part of the Senate to act with the committee of the House to investigate the charges of frauds in the Land office.

Very respectfully

JAMES H. STONE,  
*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. House bill No. 228, entitled

A bill to provide additional compensation to the members of the Legislature from the Upper Peninsula for the year 1873 ;

2. House bill No. 326, entitled

A bill to provide for the proper labeling of matches ;

In the passage of which the Senate has not concurred.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

On motion of Mr. Grant,

The two bills were laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 164, entitled

A bill to amend an act entitled "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and mechanic arts," approved March 18, 1863 ;

To which the Senate made sundry amendments, but in which amendments the House non-concurred, and to inform the House that the Senate insists upon such amendments.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Rich,

The bill was laid on the table.

#### THIRD READING OF BILLS.

House bill No. 381, entitled

A bill to amend sections 647 and 649, relative to the term of office of the commissioners of highways; section 695, relative to filling vacancies in the office of overseer of highways; sections 728, 729, 730, 731, 732, 733, 734, and 735, relative to overseers and commissioners of highways; sections 752, 753, 754, and 755, relative to the raising of money by tax or to borrow money to build or repair bridges, chapter 12 of the compiled laws of 1871; to amend chapters 23, 24, 25, 27, 28, and 31; sections 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270 and 1278, chapter 26 of the compiled laws of 1871, relative to highways, bridges, and private roads; to amend sections 1753 and 1758, chapter 47 of the compiled laws of 1871, relative to the county drain law; to amend sections 2027, 2028, 2029, 2030, 2031, 2032, 2033, and 2034, chapter 59 of the compiled laws of 1871, relative to animals running at large; to amend chapter 68 of the compiled laws of 1871, relative to the spread of Canada thistles; to amend section 2587, chapter 78 of the compiled laws of 1871, relative to plank road companies;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Garvelink moved to amend the bill by striking out in lines 1 and 2, section 34, the word "November," and inserting in lieu thereof the word "March;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Remer,
Bailey,	Grensel,	Rich,
Bartholomew,	Haire,	Ripley,
Bottomley,	Harris,	Robinson,
Briggs,	Haywood,	Scott,
Brunson,	Hertzer,	Sessions.
Buell,	Hewitt,	Shaw,
Burns,	Howard,	Simpson,
Cady,	Hoyt,	Smith,
Caplis,	Kellogg,	Speed,
Chafey,	Knapp,	Thompson,
Cook,	Lamb,	Van Aken,
Curtis,	Lewis,	Van Scoy,
Drake,	Lockwood,	A. Walker,
Drew,	Luce,	B. Walker,
Edwards,	Markey,	Walton,
Eggleston,	E. R. Miller,	C. W. Watkins,
Faucher,	R. C. Miller,	E. C. Watkins,
Fey,	Morse,	Welker,
Gilmore,	Noyes,	Wheeler,
Gordon,	Pierce,	Zimmerman,
Grant,	Priest,	65

#### NAYS.

Mr. Carter,	Mr. O'Dell,	Mr. Warren,
Chamberlain,	Parsons,	Welch,
Garfield,	Robertson,	West,
Garvelink,	Striker,	Withington,
Goodrich,	J. Walker,	Wixson,
		15

The question being on agreeing to the title,

Mr. Gordon moved to amend the title so as to read as follows:

A bill to amend sections 12, 14, 1, 86, 87, 89, and 3 of

chapter 12, being sections 647, 649, 695, 729, 730, 732, and 735 of compiled laws of 1871, relative to the powers and duties of townships, and election and duties of township officers; and sections 1, 2, 3, 5, 8, 11, 12, 13, 14, 2, 3, 4, 5, 0, 1, and 1 of chapter 23, being sections 1192, 1193, 1194, 1196, 1199, 1262, 1203, 1204, 1205, 1207, 1208, 1209, 1210, 1212, 1214, and 1215 of compiled laws of 1871, relative to officers having the care and superintendence of highways and bridges, and their general powers and duties; and sections 2, 4, 5, 6, 7, 8, and 9 of chapter 24, being sections 1217, 1219, 1220, 1221, 1222, 1223, and 1224 of compiled laws of 1871, relative to persons liable to work on highways, and making assessments therefor; and sections 3, 15, 16, 17, 18, 20, 21, 22, 23, and 1 of chapter 25, being sections 1228, 1240, 1241, 1242, 1243, 1245, 1246, 1247, 1248 and 1251 of compiled laws of 1871, relative to the duties of overseers in regard to the performance of labor on highways, the performance of such labor or the commutation therefor and application of moneys by the commissioners; and sections 2, 3, 4, 7, 8, 11, 14, 15, 16, and 1, of chapter 26, being sections 1253, 1254, 1255, 1258, 1259, 1262, 1265, 1266, 1267, and 1278 of compiled laws of 1871, relative to "laying out, altering, and discontinuing public roads;" and sections 2, 4, 5, and 6 of chapter 27, being sections 1290, 1292, 1293, and 1294 of compiled laws of 1871, relative to "The obstruction of highways, encroachments thereon, and penalties;" and sections 1, 3, 4, 6, 7, 8, 2, and 3, of chapter 28, being sections 1301, 1303, 1304, 1306, 1307, 1308, 1310, and 1311, of compiled laws of 1871, relative to "the erection, repairing, and preservation of bridges;" add sections 2 and 5 of chapter 29, being sections 1317, 1321 of compiled laws of 1871, relative to "miscellaneous provisions of a general nature;" and sections 1, 3, 4, 1, 2, and 4 of chapter 31 being sections 1335, 1337, 1338, 1340, 1341, and 1343 of compiled laws of 1871, relative to private roads; and sections 9 and 14 of chapter 47, being sections 1753 and 1758 of



compiled laws of 1871, relative to the draining of swamps, marshes, and low lands; and sections 2, 3, and 4 of chapter 68, being sections 2130, 2131, and 2132 of compiled laws of 1871, relative to preventing the spread of Canada thistles; and sections 27 and 45 of chapter 78, being sections 2587 and 2605 of compiled laws of 1871, relative to plank road companies, being the various sections defining the powers and duties of the commissioners of highways, and adding a new section thereto;

Which motion prevailed.

The title as amended was then agreed to.

Senate bill No. 257, entitled

A bill making appropriations for the Reform School for the years 1873 and 1874,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Bailey,	Green,	Robertson,
Bartholomew,	Greusel,	Scott,
Bottomley,	Haire,	Sessions,
Breitung,	Harris,	Shaw,
Briggs,	Haywood,	Simpson,
Brunson,	Hertzler,	Smith,
Buell,	Hewitt,	Speed,
Burns,	Hosner,	Striker,
Cady,	Hoyt,	Thompson,
Oaplis,	Kellogg,	Van Aken,
Carter,	Knapp,	Van Scoy,
Chafey,	Lamb,	A. Walker,
Chamberlain,	Lewis,	B. Walker,
Climie,	Lockwood,	J. Walker,
Cook,	Luce,	Walton,
Curtis,	Markey,	Warren,
Drake,	E. R. Miller,	C. W. Watkins,
Drew,	R. C. Miller,	E. C. Watkins,
Edwards,	Mitchell,	Welch,
Eggleston,	Morse,	Welker,
Fancher,	Noyes,	West,
Fey,	O'Dell,	Wheeler,
Garfield,	Pierce,	Withington,
Garvelink,	Priest,	Wixson,

Mr. Gilmore, Goodrich, Gordon,	Mr. Remer, Rich, Ripley, NAYS.	Mr. Zimmerman. Speaker,	83 0
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Title agreed to.

On motion of Mr. Cady,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to attach school district No. 5 of the township of Huron to the incorporated school district known as "the public schools of the village of Hudson,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley, Bailey, Bartholomew, Breitung, Briggs, Brunson, Buell, Burns, Cady, Caplis, Carter, Chamberlain, Olimie, Curtis, Drew, Edwards, Eggleston, Fancher, Ferguson, Fey, Garfield, Garvelink, Gilmore, Goodrich,	Mr. Grant, Green, Greusel, Haire, Haywood, Hertzler, Hewitt, Hosner, Hoyt, Kellogg, Knapp, Lamb, Lewis, Lockwood, Markey, E. R. Miller, R. C. Miller, Mitchell, Noyes, O'Dell, Parsons, Priest, Rich, Robinson,	Mr. Robertson, Scott, Sessions, Shaw, Smith, Speed, Striker, Van Aken, Van Scoy, A. Walker, B. Walker, J. Walker, Walton, Warren, O. W. Watkins, E. C. Watkins, Welch, Welker, West, Wheeler, Withington, Wixson, Zimmerman, Speaker,	72
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#### NAYS.

Mr. Bottomley, Luce,	Mr. Morse.	Mr. Pierce,	4
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Title agreed to.

On motion of Mr. Gilmore,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill entitled

A bill to change the name of the town of Brooklyn, Jackson County, to that of Norvell, and to fix the boundary thereof,

Was read a third time and pending the taking of the vote on the passage thereof,

Mr. Drew moved to amend the bill by striking out the word "one" where it occurs after the word "range" in the bill and by inserting the word "two" in lieu thereof;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robertson,
Bartholomew,	Greusel,	Scott,
Briggs,	Haire,	Sessions,
Brunson,	Harris,	Shaw,
Buell,	Haywood,	Simpson,
Burns,	Hertzler,	Smith,
Cady,	Hewitt,	Speed,
Caplis,	Hosner,	Striker,
Carter,	Hoyt,	Thompson,
Chafey,	Knapp,	Van Aken,
Chamberlain,	Lamb,	Van Scoy,
Climie,	Lewis,	A. Walker,
Curtis,	Lockwood,	B. Walker,
Drake,	Luce,	J. Walker,
Drew,	Markey,	Walton,
Eggleston,	R. C. Miller,	Warren,
Fancher,	Mitchell,	C. W. Watkins,
Ferguson,	Morse,	E. C. Watkins,
Fey,	Noyes,	Welker,
Garvelink,	O'Dell,	West,
Gilmore,	Parsons,	Wheeler,
Goodrich,	Pierce,	Withington,
Gordon,	Rich,	Wixson,
Grant,	Robinson,	Speaker,

## NAYS.

Mr. Ripley,

1

Title agreed to.

On motion of Mr. Drew,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 313, entitled

A bill to protect water-power owners,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,

Mr. Gordon,

Mr. Priest,

Bartholomew,

Grant,

Remer,

Breitung,

Green,

Rich,

Briggs,

Haire,

Scott,

Brunson,

Harris,

Shaw,

Buell,

Hertzler,

Striker,

Burns,

Hewitt,

Thompson,

Cady,

Hosner,

Van Scoy,

Caplis,

Kellogg,

A. Walker,

Carter,

Knapp,

B. Walker,

Chafey,

Lewis,

C. W. Watkins,

Cook,

Lockwood.

E. C. Watkins,

Curtis,

Luce,

Welch,

Drew,

E. R. Miller,

Welker,

Edwards,

R. C. Miller,

Wheeler,

Eggleston,

Mitchell,

Withington,

Ferguson,

Morse,

Wixson,

Fey,

Noyes,

Zimmerman,

Garfield,

Pierce,

56

## NAYS.

Mr. Ackley,

Mr. Greusel,

Mr. Robinson,

Bottomley,

Haywood,

Robertson,

Chamberlain,

Hoyt,

Simpson,

Climie,

Lamb,

Smith,

Fancher,

Markey,

Van Aken,

Garvelink,

O'Dell,

Walton,

Gilmore,

Parsons,

Warren,

Goodrich,

Ripley,

West,

24

Title agreed to.

Mr. C. W. Watkins moved to reconsider the vote by which the House passed the bill.

On motion of Mr. C. W. Watkins,

The motion to reconsider was laid on the table.

House joint resolution No. 29, entitled

Joint resolution instructing the Commissioner of the State Land Office to make a settlement with and grant a certificate to Moses Kingsley,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robertson,
Bailey,	Harris,	Scott,
Bartholomew,	Haywood,	Sessions,
Breitung,	Hertzler,	Shaw,
Brunson,	Hewitt,	Smith,
Burns,	Hosner,	Speed,
Cady,	Kellogg,	Striker,
Caplis,	Knapp,	Thompson,
Carter,	Lamb,	Van Scoy,
Chafey,	Lewis,	A. Walker,
Chamberlain,	Lockwood,	B. Walker,
Climie,	Luce,	Walton,
Cook,	Markey,	Warren,
Curtis,	E. R. Miller,	C. W. Watkins,
Drew,	R. C. Miller,	E. C. Watkins,
Edwards,	Mitchell,	Welch,
Eggleston,	Morse,	West,
Ferguson,	Parsons,	Wheeler,
Fey,	Priest,	Withington,
Garvelink,	Remer,	Wixson,
Gordon,	Rich,	Zimmerman,
Grant,	Robinson,	Speaker.
Green,		

69

#### NAYS.

Mr. Briggs,	Mr. Garfield,	Mr. Pierce,
Buell,	Greusel,	Simpson,
Fancher,	Hoyt,	

8

Title and preamble agreed to.

Senate bill No. 191, entitled

A bill to amend section 1 of an act entitled "An act to confirm the record of letters of attorney in certain cases," approved April 17, 1871, being section 4256 of the compiled laws of 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Hoyt,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

House bill No. 180, entitled

A bill to prevent the destruction of fish in Reed's Lake and Fisk's Lake in the township of Grand Rapids in the county of Kent,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Eggleston moved to amend the bill by striking out all of line 4, section 1; also, by striking out of line 2, section 2, the words "or to hunt or pursue any fish therein with intent to take or capture the same;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Scott,
Bartholomew,	Green,	Sessions,
Bottomley,	Greusel,	Shaw,
Breitung,	Haire,	Simpson,
Brunson,	Harris,	Smith,
Buell,	Haywood,	Speed,
Burns,	Hewitt,	Striker,
Cady,	Hosner,	Thompson,
Caplis,	Hoyt,	Van Aken,
Carter,	Kellogg,	Van Scoy,
Chamberlain,	Knapp,	A. Walker,
Cook,	Lamb,	J. Walker,
Curtis,	Lewis,	Walton,
Drake,	Markey,	Warren,
Drew,	E. R. Miller,	E. C. Watkins,
Edwards,	R. C. Miller,	Welch,
Eggleston,	Mitchell,	West,
Fancher,	O'Dell,	Wheeler,
Ferguson,	Parsons,	Withington,
Fey,	Pierce,	Wixson,
Garvelink,	Priest,	Zimmerman,
Gilmore,	Ripley,	Speaker,
Gordon,		

## NAYS.

Mr. Lockwood, Rich,	Mr. Robinson,	Mr. B. Walker,	4
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Title agreed to.

House bill No. 336, entitled

A bill to define a legal day's work,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley, Buell, Burns, Cady, Caplis, Climie, Curtis, Drew, Edwards, Fancher,	Mr. Ferguson, Fey, Gordon, Green, Hertzler, Hewitt, Lamb, Markey, Mitchell, Noyes,	Mr. Priest, Scott, Speed, Van Aken, J. Walker, Welker, Withington, Zimmerman, Speaker,	29
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## NAYS.

Mr. Bartholomew, Bottomley, Breitung, Briggs, Brunson, Carter, Chafey, Chamberlain, Cook, Drake, Garfield, Garvelink, Gilmore, Goodrich, Grant, Greusel, Haire,	Mr. Harris, Haywood, Hosner, Hoyt, Kellogg, Knapp, Lewis, Lockwood, Luce, E. R. Miller, R. C. Miller, O'Dell, Parsons, Pierce, Rich, Ripley,	Mr. Robinson, Sessions, Shaw, Simpson, Smith, Striker, Thompson, Van Scoy, A. Walker, B. Walker, Walton, Warren, C. W. Watkins, Welch, West, Wheeler,	49
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House bill No. 380, entitled

A bill to authorize the State Pomological Society to employ an entomologist, and to make provision for his payment,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. Haire,	Mr. Scott,
Breitung,	Harris,	Sessions,
Briggs,	Haywood,	Shaw,
Brunson,	Hosner,	Simpson,
Buell,	Kellogg,	Smith,
Burns,	Lewis,	Speed,
Cady,	Lockwood,	Thompson,
Caplis,	Markey,	A. Walker,
Climie,	E. R. Miller,	B. Walker,
Edwards,	Mitchell,	Warren,
Fancher,	Morse,	Welch,
Ferguson,	Noyes,	West,
Fey,	Parsons,	Wheeler,
Garfield,	Priest,	Withington,
Gordon,	Remer,	Speaker,
Grant,	Rich,	

47

## NAYS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Bottomley,	Greusel,	Robinson,
Carter,	Hertzler,	Striker,
Chamberlain,	Hewitt,	Van Aken,
Cook,	Hoyt,	Van Scoy,
Curtis,	Knapp,	J. Walker,
Drake,	Lamb,	Walton,
Drew,	Luce,	C. W. Watkins,
Garvelink,	R. C. Miller,	Welker,
Gilmore,	O'Dell,	Wixson,
Goodrich,	Pierce,	Zimmerman, 33

On motion of Mr. Edwards,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.



On motion of Mr. Harris,  
The House took up the order of

## MOTIONS AND RESOLUTIONS.

Mr. Hoyt offered the following:

*Resolved*, That the Clerk be instructed to transmit a respectful message to the Senate requesting that body to return to the House Senate manuscript joint resolution, entitled

Joint resolution to appropriate a sum of money and provide for the laying of the corner stone of the new State Capitol;

Which was adopted.

Mr. Gilmore moved to reconsider the vote by which the House refused to concur in certain amendments made by the Senate to House bill No. 84, entitled

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relative to primary schools;

Which amendments are as follows:

1. By striking out the word "eleven," in line one of section 1, and inserting in lieu thereof the word "twelve;" also, by striking out the words "ninety-two," in line 3 of same section, and inserting in lieu thereof the words "ninety-three;"

2. By striking out recited section 11;

3. By adding a new section to stand as section 12, and to read as follows:

Sec. 12. Special meetings may be called by the district board, and it shall be the duty of said board, or any one of them, to call such meetings on the written request of not less than five legal voters of the district, by giving the notice required in the next succeeding section; and the questions upon which the district is empowered to act in section 24 of this act at the annual meeting, may instead thereof be determined at a special meeting called for that purpose at any time within two months previous to the annual meeting. No business shall be transacted at a special meeting unless the subject is indicated in the notice for said meeting;

The Senate had amended the title by striking out the word "eleven," and inserting in lieu thereof the word "twelve;" also, by striking out the words "ninety-two," and insert in lieu thereof the words "ninety-three;"

The motion to reconsider prevailed.

On motion of Mr. Harris,

The bill was laid on the table.

Mr. Smith moved to take from the table House bill No. 292, entitled

A bill to convey the title of the State of Michigan, in and to certain estates, to Mary Jane Conroy;

Which motion prevailed.

On motion of Mr. Smith,

The bill was placed on the order of third reading.

Mr. Ackley moved to take from the table House bill No. 224, entitled

A bill to provide wives with property and maintenance from their husband's estate, when neglected or deserted by them;

To which was pending the following amendments, made to the bill by the Senate:

1. By striking out in line 1, the word "utterly;"
2. By inserting after the word "wife," in line 1 of section 1, the words, "or shall have deserted his wife;"
3. By inserting in line 4 of same section, after the word "her," where it first occurs in said line, the words, "as alimony, the use of;"
4. By striking out the word "suit," where it occurs in lines 5 and 6 of same section, and inserting the word "proceeding," in lieu thereof;
5. By striking out the word "suit," in line 1 of section 2, and inserting in lieu thereof, the word "proceeding;"
6. By striking out the word "suit," in lines 1 and 3, of section 3, and inserting in lieu thereof the word "proceeding;"
7. By adding to section 3 the following: "And the court

shall have power to change the allowance from time to time, according to circumstances, and may revoke such allowance altogether, on satisfactory proof of voluntary and permanent reconciliation: *Provided, however,* That such allowance shall be only during the joint lives of such husband and wife;"

Which motion prevailed.

The question being on concurring in the amendments,

Mr. Ackley moved that the House do concur;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Scott,
Bailey,	Grensel,	Sessions,
Bartholomew,	Harris,	Shaw,
Bonine,	Haywood,	Simpson,
Bottomley,	Hertzler,	Smith,
Breitung,	Hewitt,	Speed,
Brunson,	Howard,	Striker,
Buell,	Hoyt,	Thompson,
Burns,	Kellogg,	Van Aken,
Cady,	Lamb,	Van Scoy,
Carter,	Lewis,	A. Walker,
Chafey,	Lockwood,	B. Walker,
Cobb,	R. C. Miller,	Walton,
Cook,	Mitchell,	Warren,
Drew,	O'Dall,	Welch,
Edwards,	Priest,	Welker,
Fancher,	Remer,	West,
Ferguson,	Rich,	Wheeler,
Fey,	Ripley,	Withington,
Garvelink,	Robinson,	Wixson,
Gilmore,	Robertson,	Zimmerman,
Gordon,		

64

#### NAYS.

Curtis,	Mr. Haire,	Mr. Morse,
Drake,	Hosner,	Pierce,
Garfield,	Luce,	J. Walker,
Goodrich,	Markey,	

11

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Rich moved to take from the table House bill No. 164, entitled

A bill to amend an act entitled "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and mechanic arts," approved March 18, 1863 ;

Which motion prevailed.

The question pending in regard to the bill, being certain amendments made to the bill by the Senate, and on which the Senate had insisted,

Mr. Briggs moved that a committee of three be appointed on the part of the House to act with a like committee on the part of the Senate as a committee of conference, relative to the disagreement existing between the two Houses, relative to the bill ;

Which motion prevailed.

The Speaker announced as such committee on the part of the House, Messrs. Briggs, Lamb and Buell.

Mr. Curtis offered the following :

*Resolved*, That the committee of the whole be discharged from the further consideration of all bills during the remainder of this session, and that all bills now on the general order be placed on the order of third reading of bills ;

Which was adopted.

Mr. Van Aken moved to take from the table House manuscript bill, entitled

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the protection of fish in any and all the lakes or streams in Branch county ;

Which motion prevailed.

On motion of Mr. Van Aken,

The bill was placed on the order of third reading.

Mr. Gilmore moved to take from the table House joint resolution No. 28, entitled

Joint resolution to authorize the Commissioner of the State Land Office, or the proper officer, to convey the southwest

quarter of the northwest quarter of section No. 16, in township No. 8 south, of range No. 5 east, to George W. Blivin, assignee of primary school land certificate No. 5961;

Which motion prevailed.

The question being on the passage of the joint resolution,

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robinson,
Bailey,	Grant,	Robertson,
Bartholomew,	Green,	Scott,
Bottomley,	Greusel,	Sessions,
Breitung,	Haire,	Shaw,
Briggs,	Harris,	Simpson,
Brunson,	Haywood,	Smith,
Burns,	Hertzler,	Speed,
Caplis,	Hewitt,	Striker,
Carter,	Hosner,	Thompson.
Chafey,	Kellogg,	Van Scoy,
Chamberlain,	Lockwood,	A. Walker,
Climie,	Luce,	Walton,
Cook,	Markey,	Warren,
Curtis,	E. R. Miller,	E. C. Watkins,
Drake,	R. O. Miller,	Welch,
Drew,	Mitchell,	Welker,
Edwards,	Morse,	West,
Fey,	O'Dell,	Wheeler,
Garfield,	Parsons,	Withington,
Garvelink,	Pierce,	Wixson,
Gilmore,	Priest,	Zimmerman,
Goodrich,	Remer,	Speaker, 69

## NAYS.

Mr. Buell,	Mr. Rich,	Mr. B. Walker,
Hoyt,	Van Aken,	J. Walker,
Lamb,		

7

Title agreed to.

On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

On motion of Mr. Fey,

Senate bill No. 183, entitled

A bill to amend section 4 of an act entitled "An act to regulate the manufacture and provide for the inspection of salt," approved March 6, 1869, being section 1461, chapter 33 of the compiled laws of 1871;

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

Mr. Hoyt moved to suspend the rule limiting the time in which a motion to reconsider may be made;

Which motion did not prevail.

Mr. Shaw offered the following:

*Resolved*, That there be printed for the use of this House one thousand copies of the speech of the Hon. Senator from Allegan, M. D. Wilber, upon the resolution in relation to a ship canal across the Lower Peninsula.

Mr. Edwards moved to amend the resolution by adding thereto the words "and his speech on the Detroit Park Bill, painted by the pencil of Summer, for the use of the Modocs;"

Which motion did not prevail.

Mr. Bartholomew moved to amend the resolution so that it should provide that the copies should contain the Honorable gentleman's amendment to a bill entitled "A bill to provide for the proper labeling of matches;"

Which amendment is as follows:

"Amend the bill by inserting after the word "poisonous," in line 3, the following: "which label shall read as follows: 'Caution to mothers—all matches are poisonous; keep them from your babe's mouth; antidote for the same, onion syrup and goose oil—Dr. Bartholomew;"

Mr. C. W. Watkins moved to reconsider the vote by which the House amended the resolution.

On motion of Mr. C. W. Watkins the motion to reconsider was laid on the table.

On motion of Mr. Hoyt,

The resolution was laid on the table.

Mr. Fey moved to take from the table House bill No. 238, entitled

A bill to compel manufacturing establishments to allow their employes one hour for dinner;

Which motion did not prevail.

The committee on printing, leave being granted, reported as follows:

The committee on printing, to whom was referred Senate bill No. 253, entitled

A bill to provide for the publication and distribution of the laws and documents of this State;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. A. FANCHER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Fancher,

The rules were suspended, and the bill was placed on the order of third reading.

The committee on education, leave being granted, reported as follows:

The committee on education, to whom was referred

A bill to amend section 84 of chapter 136 of primary school laws, being section 3653 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. E. R. Miller,  
The House concurred in the amendments made to the bill  
by the committee.

On motion of Mr. E. R. Miller,  
The bill was placed on the order of third reading.

Mr. E. C. Watkins offered the following :

*Resolved*, That there be paid to William Stocking, Henry A. Chaney, and Joseph Greusel, Jr., each one hundred dollars, as compensation for the preparation and publication of the official reports of this House ;

On the adoption of which,

Mr. Van Aken demanded the yeas and nays.

The demand was seconded, and pending the taking of the vote thereon,

Mr. C. W. Watkins moved to amend the resolution by inserting the name of " Don C. Henderson ;"

Pending which,

Mr. Grant moved to lay the resolution on the table ;

Mr. Edwards demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Briggs,	Mr. Haire,	Mr. Robertson,
Brunson,	Hosner,	Sessions,
Carter,	Howard,	Simpson,
Chafey,	Hoyt,	Smith,
Chamberlain,	Kellogg,	Van Aken,
Cook,	Lamb,	Van Scoy,
Curtis,	Luce,	B. Walker,
Drake,	E. R. Miller,	J. Walker,
Drew,	R. C. Miller,	Walton,
Ferguson,	Morse,	Warren,
Garfield,	O'Dell,	Welker,
Garvelink,	Priest,	West,
Goodrich,	Rich,	Wixson,
Gordon,	Ripley,	Speaker,
Grant,	Robinson,	



## NAYS.

Mr. Ackley,	Mr. Gilmore,	Mr. Remer,
Bailey,	Green,	Scott,
Bartholomew,	Greusel,	Shaw,
Bonine,	Harris,	Speed,
Bottomley,	Haywood,	Striker,
Breitung,	Hertzler,	Thompson,
Buell,	Hewitt,	A. Walker,
Burns,	Knapp,	C. W. Watkins,
Cady,	Lewis,	E. C. Watkins,
Caplis,	Markey,	Welch,
Climie,	Mitchell,	Wheeler,
Edwards,	Parsons,	Withington,
Fancher,	Pierce,	Zimmerman,
Fey,		

40

The House resumed the order of

## THIRD READING OF BILLS.

Senate bill No. 241, entitled

A bill to amend section 31 of an act entitled "An act to incorporate the village of Coopersville," being act No. 208 of the session laws of 1871, approved March 4, 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bartholomew,	Mr. Greusel,	Mr. Scott,
Bonine,	Haire,	Sessions,
Bottomley,	Haywood,	Shaw,
Briggs,	Hewitt,	Simpson,
Brunson,	Hosner,	Smith,
Buell,	Hoyt,	Speed,
Burns,	Kellogg,	Striker,
Carter,	Knapp,	Thomas,
Chafey,	Lamb,	Thompson,
Chamberlain,	Lewis,	Van Aken,
Climie,	Luce,	Van Scoy,
Cook,	Markey,	A. Walker,
Curtis,	E. R. Miller,	B. Walker,
Drew,	R. C. Miller,	J. Walker,
Edwards,	Mitchell,	Walton,
Fancher,	O'Dell,	Warren,
Fey,	Parsons,	E. C. Watkins,
Garfield,	Pierce,	Welch,

Mr. Garvelink,	Mr. Priest,	Mr. Wheeler,	
Goodrich,	Remer,	Withington,	
Gordon,	Rich,	Wixson,	
Grant,	Robinson,	Zimmerman,	68
Green,	Robertson,		
	NAYS.		0

Title agreed to.

On motion of Mr. Haire,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 297, entitled

A bill to provide for the payment of certain ditch or drainage orders,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Shaw,	
Bartholomew,	Green,	Striker,	
Bonine,	Hertzler,	A. Walker,	
Breitung,	Lewis,	B. Walker,	
Brunson,	Lockwood,	J. Walker,	
Chamberlain,	E. R. Miller,	Warren,	
Drew,	Parsons,	Zimmerman,	23
Ferguson,	Priest,		

#### NAYS.

Mr. Bailey,	Mr. Haywood,	Mr. Sessions,	
Bottomley,	Hewitt,	Simpson,	
Burns,	Hoyt,	Smith,	
Caplis,	Kellogg,	Speed,	
Carter,	Knapp,	Thomas,	
Chafey,	Lamb,	Thompson,	
Climie,	Luce,	Van Aken,	
Cook,	Markey,	Van Scoy,	
Curtis,	R. C. Miller,	Walton,	
Edwards,	Mitchell,	Welch,	
Fanoher,	O'Dell,	Welker,	
Garfield,	Pierce,	West,	
Garvelink,	Rich,	Wheeler,	
Goodrich,	Ripley,	Withington,	

Mr. Grant, Greusel, Haire,	Mr. Robinson, Robertson, Scott,	Mr. Wixson, Speaker,	50
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House bill No. 258, entitled

A bill to provide for the perpetuation of evidence of maps or plats of towns, cities, villages, etc.,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley, Bailey, Bonine, Bottomley, Breitung, Briggs, Buell, Burns, Caplis, Chafey, Chamberlain, Curtis, Drew, Fancher, Ferguson, Fey, Gordon, Grant, Green,	Mr. Greusel, Haire, Harris, Haywood, Howard, Hoyt, Kellogg, Knapp, Lamb, Lewis, Lockwood, Markey, R. C. Miller, Morse, Parsons, Remer, Rich, Ripley, Robertson,	Mr. Scott, Sessions, Shaw, Simpson, Smith, Speed, Striker, Thompson, A. Walker, Warren, C. W. Watkins, E. C. Watkins, West, Wheeler, Withington, Wixson, Zimmerman, Speaker.	66
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#### NAYS.

Mr. Brunson, Carter, Climie, Cook, Drake, Edwards, Garfield, Garvelink, Goodrich,	Mr. Hertzler, Hewitt, Hosner, Luce, Mitchell, O'Dell, Pierce, Priest,	Mr. Robinson, Van Aken, Van Scoy, B. Walker, J. Walker, Walton, Welch, Welker,	25
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Title agreed to.

Senate bill No. 171, entitled

A bill to amend sections 1, 4, and 33 of act No. 180 of the

session laws of 1871, being sections 3532, 3535 and 3564, chapter 134 of the compiled laws of 1871, entitled "An act to re-organize the State Agricultural College, and establish a State Board of Agriculture," approved March 15, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Remer,
Bailey,	Harris,	Rich,
Bartholomew,	Haywood,	Robinson,
Bonine,	Hertzler,	Robertson,
Breitung,	Hewitt,	Scott,
Brunson,	Hosner,	Sessions,
Burns,	Howard,	Shaw,
Caplis,	Hoyt,	Speed,
Carter,	Kellogg,	Striker,
Chafey,	Knapp,	Van Scoy,
Chamberlain,	Lamb,	A. Walker,
Climie,	Lewis,	B. Walker,
Cook,	Lockwood,	J. Walker,
Drake,	Markey,	Walton,
Edwards,	E. R. Miller,	Warren,
Fancher,	R. C. Miller,	C. W. Watkins,
Fey,	Mitchell,	Welch,
Garfield,	Morse,	Welker,
Garvelink,	O'Dell,	Wheeler,
Gordon,	Parsons,	Withington,
Grant,	Pierce,	Wixson,
Green,	Priest,	Speaker, 66

## NAYS.

Mr. Bottomley,	Mr. Drew,	Mr. Luce,
Briggs,	Goodrich,	Simpson,
Buell,	Greusel,	Van Aken,
Curtis,		10

Title agreed to.

Senate bill No. 239, entitled

A bill to authorize the city of Hastings, in the county of Barry, to borrow money for bridge purposes within said city, and issue bonds therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Greusel,	Mr. Rich,
Bonine,	Haire,	Ripley,
Bottomley,	Harris,	Robinson,
Breitung,	Haywood,	Robertson,
Briggs,	Hertzler,	Scott,
Brunson,	Hewitt,	Sessions,
Buell,	Howard,	Shaw,
Caphis,	Hoyt,	Smith,
Carter,	Kellogg,	Speed,
Chamberlain,	Lamb,	Striker,
Olimie,	Lewis,	Thompson,
Cook,	Lockwood,	Van Scoy,
Curtis,	Luce,	A. Walker,
Drake,	Markey,	B. Walker,
Drew,	E. R. Miller,	J. Walker,
Fancher,	R. C. Miller,	Walton,
Fey,	Mitchell,	Welch,
Garfield,	Morse,	Wheeler,
Garvelink,	O'Dell,	Withington,
Goodrich,	Parsons,	Wixson,
Gordon,	Pierce,	Zimmerman,
Grant,	Priest,	Speaker,
Green,	Remer,	
	NAYS.	68
		0

Title agreed to.

On motion of Mr. Striker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill 203, entitled

A bill to authorize the Inspectors of the State Prison to grant to life convicts the right to correspond with near friends and relatives,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Harris,	Mr. Robertson,
Bonine,	Haywood,	Scott,
Bottomley,	Hertzler,	Sessions,

Mr. Breitung,	Mr. Hewitt,	Mr. Shaw,
Briggs,	Hosner,	Simpson,
Brunson,	Howard,	Smith,
Buell,	Hoyt,	Speed,
Burns,	Kellogg,	Striker,
Caplis,	Knapp,	Thomas,
Carter,	Lamb,	Thompson,
Chafey,	Lewis,	Van Aken,
Chamberlain,	Luce,	A. Walker,
Climie,	Markey,	B. Walker,
Curtis,	E. R. Miller,	J. Walker,
Drake,	R. O. Miller,	Walton,
Edwards,	Mitchell,	Warren,
Ferguson,	Morse,	C. W. Watkins,
Fey,	O'Dell,	Welch,
Garfield,	Parsons,	Welker,
Garvelink,	Pierce,	Wheeler,
Goodrich,	Priest,	Withington,
Grant,	Remer,	Wixson,
Green,	Rich,	Zimmerman,
Greusel,	Robinson,	Speaker,
Haire,		

73

## NAYS.

Mr. Ackley, Mr. Drew, 2

Title agreed to.

On motion of Van Aken,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 370, entitled

A bill to regulate the hiring or letting of contracts for State Prison labor ;

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Briggs moved to amend the bill by striking out in section 2, line 8, the words "in the State paper," and insert in lieu thereof the word "Lansing ;"

Which was agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Greusel,	Mr. Sessions,
Bottomley,	Hertzler,	Simpson,
Briggs,	Hosner,	Speed,
Brunson,	Kellogg,	Van Aken,
Cady,	Markey,	Van Scoy,
Climie,	Morse,	J. Walker,
Curtis,	Pierce,	E. C. Watkins,
Drake,	Priest,	Welker,
Ferguson,	Scott,	

26

## NAYS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Bartholomew,	Green,	Robertson,
Bonine,	Haire,	Shaw,
Buell,	Haywood,	Smith,
Burns,	Hewitt,	Striker,
Caplie,	Hoyt,	Thompson,
Carter,	Lamb,	A. Walker,
Chafey,	Lewis,	B. Walker,
Chamberlain,	Lockwood,	Walton,
Cook,	E. R. Miller,	O. W. Watkins,
Drew,	R. C. Miller,	West,
Fancher,	Mitchell,	Wheeler,
Fey,	O'Dell,	Withington,
Garfield,	Parsons,	Wixson,
Garvelink,	Remer,	Zimmerman,
Goodrich,	Rich,	

47

House bill No. 56, entitled

A bill to repeal act No. 57 of the session laws of 1850, being "An act to incorporate the Plymouth Plank Road Company," approved March 5, 1850,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Scott moved to amend the bill by substituting the following for the bill:

SECTION. 1. *The people of the State of Michigan enact*, That act No. 57, of the session laws of 1850, entitled "An act to incorporate the Plymouth Plank Road Company," approved March 5, 1850, be amended by adding thereto a new section to stand as section 7, and to read as follows:

Sec. 7. Said Plank Road Company is authorized to sell, assign, and convey, to any township through which said road may run, so much of their road constructed therein, and the rights and franchises connected therewith; and upon such sale the said Plank Road Company shall be released and relieved from all liability and responsibility from maintaining and keeping in repair such portion of their said road without prejudice to their corporate rights, as to the remainder of said plank road; and as to the portion of the road so sold, the same shall be held to be discontinued;

Which was agreed to.

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Bailey,	Green,	Robertson,
Bartholomew,	Greusel,	Scott,
Bonine,	Harris,	Sessions,
Breitung,	Haywood,	Simpson,
Briggs,	Hertzler,	Smith,
Brunson,	Hewitt,	Speed,
Buell,	Hosner,	Striker,
Burns,	Howard,	Thompson,
Cady,	Hoyt,	Van Aken,
Caplis,	Lamb,	Van Scoy,
Carter,	Lewis,	A. Walker,
Chafey,	Lockwood,	B. Walker,
Chamberlain,	Luce,	J. Walker,
Climie,	Markey,	Walton,
Cook,	E. R. Miller,	Warren,
Curtis,	R. C. Miller,	O. W. Watkins,
Drake,	Mitchell,	E. C. Watkins,
Drew,	Morse,	Welch,
Edwards,	O'Dell,	Welker,
Fancher,	Parsons,	West,
Fey,	Pierce,	Wheeler,
Garfield,	Priest,	Withington,
Garvelink,	Remer,	Wixson,
Goodrich,	Rich,	Speaker,
Gordon,		

## NAYS.

76

0



The question being on agreeing to the title,

Mr. Scott moved to amend the title so as to read as follows:

A bill to amend act No. 57 of the session laws of 1850, entitled "An act to incorporate the Plymouth Plank Road Company," approved March 5, 1850, by adding thereto a new section to stand as section 7;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Scott,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 367, entitled

A bill to amend section 7435, chapter 139 of the compiled laws of 1871, relative to salary of judges of probate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Bartholomew,  
Breitung,  
Brunson,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Curtis,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Fey,  
Garfield,  
Garvelink,  
Goodrich,  
Gordon,  
Grant,

Mr. Green,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Markey,  
R. C. Miller.  
Mitchell,  
Morse,  
O'Dell,  
Parsons,

Mr. Pierce,  
Priest,  
Rich,  
Robinson,  
Robertson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Thompson,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
West,  
Wheeler,  
Withington,  
Zimmerman,

62

#### NAYS.

Mr. Bonine,  
Cook,

Mr. Van Aken,  
Van Scoy,

Mr. Welch,  
Welker,

Mr. E. R. Miller.  
Ripley,  
Striker,

Mr. B. Walker,  
J. Walker,

Mr. Wixson,  
Speaker,

13

Title agreed to.

House bill No. 366, entitled

A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 17, 1834, and the acts amendatory thereto,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Chamberlain moved to reconsider the vote by which the House concurred in the amendments made to the bill by the committee of the whole;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cook,  
Curtis,  
Drake,  
Edwards,  
Fancher,  
Fey,  
Garvelink,  
Goodrich,  
Gordon,  
Grant,  
Green,

Mr. Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Lamb,  
Lewis,  
Luce,  
Markey,  
R. C. Miller,  
Mitchell,  
Morse,  
O'Dell,  
Parsons,  
Pierce,  
Priest,  
Remer,  
Rich,

Mr. Ripley,  
Robinson,  
Robertson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Thompson,  
Van Aken,  
Van Scoy,  
A. Walker,  
J. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wixson,  
Speaker,

69

## NAYS.

Mr. Garfield,

1

Title agreed to.

On motion of Mr. Chamberlain,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 182, entitled

A bill to repeal section 26 of an act entitled "An act to provide for the formation of street railway companies," approved March 5, 1867, being section 2527 of the compiled laws of 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Grant moved to amend the bill by adding thereto the following :

*Provided*, That any such company, now or hereafter organized in the city of Ann Arbor, shall be liable to pay only a specific State tax, and such other tax as the common council of said city shall impose upon such company by way of license ;

Which was withdrawn.

Mr. Bottomley moved that the further consideration of the bill be indefinitely postponed ;

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,

Mr. Ferguson,

Mr. Pierce,

Bailey,

Fey,

Priest,

Bartholomew,

Garfield,

Remer,

Bottomley,

Garvelink,

Robinson,

Breitung,

Goodrich,

Robertson,

Brunson,

Gordon,

Scott,

Buell,

Grant,

Sessions,

Burns,

Green,

Simpson,

Oady,

Haire,

Smith,

Caplis,

Harris,

Thompson,

Carter,

Hewitt,

Van Scoy,

Mr. Chafey,  
Climie,  
Cook,  
Curtis,  
Drake,  
Drew,  
Edwards,  
Eggleston,

Mr. Hosner,  
Kellogg,  
Lewis,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Parsons,

Mr. A. Walker,  
J. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
Welch,  
Withington,  
Zimmerman, 57

#### NAYS.

Mr. Chamberlain,  
Fancher,  
Greusel,  
Howard,  
Hoyt,  
Lamb,  
Morse,

Mr. O'Dell,  
Rich,  
Ripley,  
Shaw,  
Striker,  
Van Aken,

Mr. B. Walker,  
E. C. Watkins,  
Welker,  
West,  
Wixson,  
Speaker,

19

On motion of Mr. Remer,

The House took a recess until 7:30 o'clock this evening.

#### EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

#### THIRD READING OF BILLS.

The Speaker called Mr. Hoyt to the chair.

Senate joint resolution No. 16, entitled

Joint resolution directing the Board of State Auditors to settle certain claims of James S. Dewey against the State of Michigan, arising out of the compilation of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,  
Breitung,  
Briggs,  
Brunson,

Mr. Grant,  
Green,  
Greusel,  
Harris,

Mr. Remer,  
Rich,  
Robinson,  
Robertson,

Mr. Buell,	Mr. Haywood,	Mr. Scott,
Burns,	Hertzler,	Sessions,
Cady,	Hewitt,	Shaw,
Caplis,	Hosner,	Thompson,
Chafey,	Howard,	Van Scoy,
Climie,	Hoyt,	A. Walker,
Cook,	Knapp,	J. Walker,
Drew,	Lamb,	Walton,
Edwards,	Lewis,	Warren,
Eggleston,	Markey,	C. W. Watkins,
Fancher,	R. C. Miller,	E. C. Watkins,
Ferguson,	Mitchell,	Welch,
Fey,	Morse,	Wheeler,
Garvelink,	Parsons,	Withington,
Gordon,	Priest,	Zimmerman, 57

## NAYS.

Mr. Bottomley,	Mr. O'Dell,	Mr. Striker,
Carter,	Pierce,	Van Aken,
Curtis,	Ripley,	Welker,
Garfield,	Smith,	Wixson,
Lockwood,		13

Title agreed to.

On motion of Mr. C. W. Watkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 329, entitled

A bill to amend section 4269 of the compiled laws of 1871 in relation to estates in dower,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. J. Walker moved to amend the bill by striking out all after the word "provided," in line 3, section 1 ;

Which was not agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Noyes,
Briggs,	Greusel,	Remer,
Brunson,	Haire,	Shaw,
Burns,	Harris,	Speed,

Mr. Cady,  
Caplis,  
Croswell,  
Fancher,  
Fey,

Mr. Lewis,  
Lockwood,  
Luce,  
Markey,  
Mitchell,

Mr. Striker,  
Van Scoy,  
Warren,  
C. W. Watkins,  
Zimmerman, 27

## NAYS.

Mr. Bottomley,  
Breitung,  
Buell,  
Carter,  
Chafey,  
Climie,  
Cook,  
Curtis,  
Drake,  
Drew,  
Edwards,  
Ferguson,  
Garfield,  
Garvelink,  
Goodrich,  
Grant,

Mr. Green,  
Haywood,  
Hertzler,  
Hewitt,  
Howard,  
Hoyt,  
Lamb,  
E. R. Miller,  
R. O. Miller,  
Morse,  
O'Dell,  
Parsons,  
Pierce,  
Priest,  
Rich,

Mr. Ripley,  
Robinson,  
Robertson,  
Scott,  
Sessions,  
Simpson,  
Smith,  
Thompson,  
J. Walker,  
Walton,  
Welch,  
Welker,  
Wheeler,  
Withington,  
Wixson,

46

Senate bill No. 217, entitled

A bill to fix the liability of cities, townships, and incorporated villages for damages to persons or property, occasioned by defective highways,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Bailey,  
Bonine,  
Bottomley,  
Brietung,  
Briggs,  
Brunson,  
Burns,  
Carter,  
Chafey,  
Chamberlain,  
Cook,  
Curtis,  
Drake,

Mr. Green,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hosner,  
Howard,  
Hoyt,  
Lamb,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Morse,

Mr. Robinson,  
Robertson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thompson,  
Van Scoy,  
Warren,  
C. W. Watkins,  
E. C. Watkins,

Mr. Drew, Edwards, Garvelink, Gordon, Grant,	Mr. Parsons, Priest, Remer Rich, Ripley,	Mr. Welker, Wheeler, Withington, Wixson,	56
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## NAYS.

Mr. Buell, Cady, Caplis, Climie, Croswell, Fey, Garfield,	Mr. Goodrich, Greusel, Knapp, Lewis, Lockwood, Luce, Markey,	Mr. O'Dell, Pierce, Van Aken, J. Walker, Walton, Welch, Zimmerman,	21
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Title agreed to.

Senate bill No. 181, entitled

A bill to repeal section 22 of an act entitled "An act to provide for the construction of tram railways," approved February 13, 1855, being section 2482 of the compiled laws of 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. E. O. Watkins the further consideration of the bill was indefinitely postponed.

Senate bill No. 248, entitled

A bill to amend section 15 of an act entitled "An act to establish a State Public School for dependent and neglected children," approved April 17, 1871, and to add four new sections thereto, to be known as sections 16, 17, 18, and 19,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley, Bonine, Breitung, Briggs, Brunson, Buell, Burns, Cady, Carter, Chafey,	Mr. Greusel, Haire, Harris, Hertzler, Hewitt, Hosner, Howard, Hoyt, Knapp, Lamb,	Mr. Ripley, Robinson, Robertson, Scott, Shaw, Simpson, Smith, Speed, Striker, Thompson,
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Mr. Chamberlain,	Mr. Lewis,	Mr. Van Aken,	
Olimie,	Luce,	Van Scoy,	
Croswell,	Markey,	J. Walker,	
Cook,	E. R. Miller,	Walton,	
Curtis,	R. C. Miller,	Warren,	
Edwards,	Mitchell,	C. W. Watkins,	
Fey,	Morse,	E. C. Watkins,	
Garfield,	O'Dell,	Welker,	
Garvelink,	Parsons,	Wheeler,	
Goodrich,	Pierce,	Withington,	
Gordon,	Priest,	Wixson,	
Grant,	Rich,	Zimmerman,	
Green,			67
	NAYS.		0

Title agreed to.

On motion of Mr. Van Aken,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 57, entitled

A bill relating to the accounting for money received and expended by certain officers,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Greusel moved to amend the bill by adding thereto the words: "The provisions of this act shall not apply to the Board of State Building Commissioners;"

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Ripley,
Bailey,	Gordon,	Robinson,
Bonine,	Grant,	Robertson,
Bottomley,	Green,	Scott,
Breitung,	Haire,	Sessions,
Brigge,	Harris,	Shaw,
Brunson,	Haywood,	Simpson,
Buell,	Hertzler,	Smith,
Burns,	Hewitt,	Speed,
Cady,	Hosner,	Striker,
Caplis,	Hoyt,	Thompson,
Carter,	Lamb,	Van Aken,



Mr. Chafey,	Mr. Lewis,	Mr. Van Scoy,
Chamberlain,	Luce,	A. Walker,
Climie,	Markey,	J. Walker,
Croswell,	E. R. Miller,	Walton,
Cook,	R. C. Miller,	Warren,
Curtis,	Mitchell,	C. W. Watkins,
Drake,	Morse,	E. C. Watkins,
Drew,	O'Dell,	Welker,
Edwards,	Parsons,	Wheeler,
Fey,	Pierce,	Withington,
Garfield,	Priest,	Wixson,
Garvelink,	Rich,	Zimmerman, 72

NAYS.

Mr. Greusel, 1  
Title agreed to.

Mr. Parsons, leave being granted, moved to take from the table House bill No. 255, entitled

A bill relative to convicts in the State Prison ;

To which was pending the following amendments made to the bill by the Senate:

1. By striking out section 1 ;

2. By striking out "section 2" in line 1 of section 2, and inserting in lieu thereof, "Section 1, the people of the State of Michigan enact that;" also by making section 3 to stand as section 2 ;

3. By adding to section 1, after the word "education," in line 8 of section 1 as amended, the following :

*Provided*, Such time for instruction shall not interfere with the usual established hours of labor.

The question being on concurring in the amendments made to the bill by the Senate,

Mr. Parsons moved that the House do concur.

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Bailey,	Mr. Green,	Mr. Ripley,
Bonine,	Greusel,	Robinson,
Bottomley,	Haire,	Robertson,
Breitung,	Harris,	Rose,
Briggs,	Haywood,	Scott,

Mr. Brunson,	Mr. Hertzler,	Mr. Sessions,
Buell,	Hewitt,	Shaw,
Burns,	Howard,	Simpson,
Cady,	Hoyt,	Smith,
Caplis,	Knapp,	Speed,
Carter,	Lamb,	Striker,
Chamberlain,	Lewis,	Thompson,
Climie,	Luce,	A. Walker,
Collins,	Markey,	J. Walker,
Cook,	E. R. Miller,	Walton,
Curtis,	R. C. Miller,	Warren,
Drake,	Mitchell,	E. C. Watkins,
Drew,	O'Dell,	Welker,
Edwards,	Parsons,	Wheeler,
Garfield,	Pierce,	Withington,
Garvelink,	Priest,	Wixson,
Goodrich,	Rich,	Zimmerman, 66

## NAYS.

Mr. Ackley,	Mr. Grant,	Mr. Van Aken,	4
Fey,			

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for the revision of the constitution of the State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Remer,
Bailey,	Gordon,	Rich,
Bottomley,	Grant,	Ripley,
Breitung,	Green,	Rose,
Brunson,	Greusel,	Scott,
Buell,	Haire,	Shaw,
Burns,	Harris,	Smith,
Cady,	Hertzler,	Speed,
Caplis,	Hosner,	Striker,
Chafey,	Howard,	Thompson,
Chamberlain,	Hoyt,	A. Walker,
Climie,	Knapp,	J. Walker,
Croswell,	Lewis,	Walton,
Cook,	Lockwood,	Warren,

Mr. Drew,  
Edwards,  
Eggleston,  
Fancher,  
Ferguson,  
Fey,  
Garvelink,

Mr. Markey,  
E. R. Miller,  
Mitchell,  
Morse,  
Noyes,  
Parsons,

Mr. C. W. Watkins,  
E. C. Watkins,  
Wheeler,  
Welker,  
Withington,  
Zimmerman,

## NAYS.

Mr. Bonine,  
Briggs,  
Carter,  
Curtis,  
Drake,  
Garfield,  
Hewitt,

Mr. Lamb,  
Luce,  
R. C. Miller,  
O'Dell,  
Pierce,  
Priest,  
Robinson,

Mr. Robertson,  
Sessions,  
Simpson,  
Van Aken,  
Van Scoy,  
Welch,  
Wixson, 21

Title and preamble agreed to.

On motion of Mr. Bottomley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 240, entitled

A bill to amend section 2163 of the compiled laws of 1871, being section 1 of an act entitled "An act for the encouragement of agriculture, manufactures, and the mechanic arts," approved March 16, 1849,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Brietung,  
Briggs,  
Branson,  
Burns,  
Garfield,  
Haire,  
Hewitt,  
Hosner,  
Hoyt,  
Morse,

Mr. O'Dell,  
Parsons,  
Priest,  
Ripley,  
Robertson,  
Rose,  
Shaw,  
Simpson,  
Smith,  
Speed,

Mr. Striker,  
Thompson,  
Van Aken,  
Walton,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
Wheeler,  
Wixson, 30

## NAYS.

Mr. Ackley,  
Bailey,

Mr. Edwards,  
Fey,

Mr. Markey,  
E. R. Miller,

Mr. Bonine,	Mr. Garvelink,	Mr. R. C. Miller,
Bottomley,	Goodrich,	Mitchell,
Buell,	Grant,	Pierce,
Cady,	Green,	Rich,
Carter,	Greusel,	Robinson,
Chafey,	Harris,	Sessions,
Chamberlain,	Hertzler,	Van Scoy,
Climie,	Howard,	A. Walker,
Croswell,	Knapp,	J. Walker,
Cook,	Lamb,	Warren,
Curtis,	Lewis,	Withington,
Drake,	Lockwood,	Zimmerman,
Drew,	Luce,	

45

House bill No. 377, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Grant,

The bill was laid on the table.

Mr. Caplis moved that the House adjourn ;

Which motion did not prevail.

Senate bill No. 139, entitled

A bill to define and establish a re-insurance reserve for fire and marine insurance companies doing business in this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

# YEAS.

Mr. Bailey,	Mr. Gordon,	Mr. Priest,
Bonine,	Green,	Ripley,
Breitung,	Haire,	Robinson,
Briggs,	Haywood,	Robertson,
Brunson,	Hertzler,	Hoar,
Buell,	Hewitt,	Scott,
Burns,	Hosner,	Shaw,
Cady,	Howard,	Simpson,
Caplis,	Hoyt,	Speed,
Chafey,	Knapp,	Van Aken,
Chamberlain,	Lamb,	A. Walker,
Climie,	Lockwood,	Warren,

Mr. Cook,	Mr. Markey,	Mr. C. W. Watkins,
Curtis,	R. C. Miller,	Welch,
Drew,	Mitchell,	Welker,
Edwards,	Morse,	Wheeler,
Fey,	O'Dell,	Withington,
Garfield,	Parsons,	Wixson,
Garvelink,	Pierce,	Zimmerman, 57

## NAYS.

Mr. Ackley,	Mr. Harris,	Mr. Thompson,
Bottomley,	E. R. Miller,	Van Scoy,
Goodrich,	Smith,	J. Walker,
Greusel,	Striker,	Walton, 12

Title agreed to.

On motion of Mr. Priest,

The House adjourned.

*Lansing, Wednesday, April 23, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent without leave: Messrs. Caplis, Cobb, Dinturff, Noyes, Sanderson, Speed, and Thomas.

Mr. Grant asked and obtained leave of absence for Mr. Cobb for the remainder of the session.

Mr. Hoyt asked and obtained leave of absence for the afternoon.

Mr. Remer asked and obtained leave of absence for the day.

Mr. Shaw asked and obtained leave of absence for the afternoon.

Mr. J. Walker asked and obtained leave of absence for Mr. Cobb for the remainder of the session.

Mr. Withington asked and obtained leave of absence for the afternoon.

Mr. Mitchell asked and obtained leave of absence for Mr. Sanderson, for the day.

Mr. E. C. Watkins asked and obtained leave of absence for the afternoon.

Mr. Eggleston asked and obtained leave of absence for the day.

Mr. Grant asked and obtained leave of absence until to-morrow noon.

Mr. Mitchell asked and obtained leave of absence for the afternoon.

#### PRESENTATION OF PETITIONS.

By Mr. Remer: Petition of T. C. Owen and fourteen others, relative to the charter of the city of Detroit.

Referred to the committee on municipal corporations.

The following is the petition:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

The undersigned, freeholders of the city of Detroit, respectfully petition your Honorable Body that when action may be taken by your Honorable Body on the amendments to the charter of the city of Detroit, that the following amendment may be incorporated:

"All taxes for municipal purposes and the issue of all municipal bonds authorized or hereafter to be authorized, shall be submitted by the common council to the board of estimates, and approved by said board, or so much thereof as a majority of all the members of said board shall deem expedient; and all acts amendatory of or supplementary to the charter of the city of Detroit in conflict with the provisions of this section are hereby superseded."

We submit to your Honorable Body that the safeguard embodied in the foregoing, is earnestly solicited by a very large majority of our citizens and tax-payers, who regard it as vital to our safety and prosperity.

By Mr. Greusel: Petition of E. B. Ward, C. H. Buhl, and 36 others, asking that all matters relating to finance be submitted to the board of estimates by the common council;

Also: Petition of Collin Campbell, R. McMillan, and 15 others for the same purpose;

Referred to the committee on municipal corporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on towns and counties:

The committee on towns and counties to whom was referred

A bill to confer certain powers upon the township board and to provide for special town meetings of the township of Chocoy in the county of Marquette,

Respectfully report that they have had the same under consideration; and have directed me to report the same back to the House, without amendment, recommending that it do not pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bottomley,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 96, entitled

A bill to amend section 9 of an act entitled "An act to amend sections 9 and 34, of chapter 103 of the revised statutes of 1846, compiled laws volume 2, sections 4351 and 4376, approved February 2, 1861," being section 5978 of chapter 189, compiled laws of 1871, relative to the qualifications of jurors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

The amendment made in this bill is, directing the town boards, etc., in returning the names of persons for jurors, to select those that have some visible means of support. When a case occurs within this State to which this provision would apply, it will be soon enough to enter upon this kind of legislation.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred House manuscript bill, entitled

A bill to establish and organize a police court in the city of Grand Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cady,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Eggleston,

The bill was placed on the order of third reading.

By the committees on manufactures and State affairs:

The committees on manufactures and State affairs, to whom was referred jointly Senate bill No. 232, entitled

A bill for the incorporation of manufacturing companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do



not pass, and ask to be discharged from the further consideration of the subject.

R. S. VAN SCOY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Welch,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill No. 52, entitled

A bill to amend an act entitled "An act for the protection of the rights of females," section 5524, compiled laws of 1871 chapter 178,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

The amendment proposed is inserting after the word "services," in line 2, section 1, the words "except professional services."

F. G. BAILEY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Bailey,

The bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution authorizing the Board of State Auditors to settle with the several State reporters, and to collect the amounts due from them to the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

F. G. BAILEY, *Acting Chairman.* \*

Report accepted and committee discharged.

On motion of Mr. Bailey,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred House joint resolution No. 14, entitled

Joint resolution providing an amendment to section 3, of article 4, of the constitution of the State relative to the House of Representatives and the mode of electing members thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

F. G. BAILEY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The joint resolution was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred Senate bill No. 260, entitled

A bill to prohibit the running at large of swine in the public highways,

Respectfully report that they have had the same under consideration.

Our present law (compiled laws, p. 272, section 639), provides that the inhabitants of townships, at township meetings, may determine the time and manner in which swine and other animals shall be restrained from going at large in the highways.

Section 1, chapter 59 of the compiled laws, page 661, provides that "it shall not be lawful for any horses, cattle, sheep, or swine, to run at large in any public highway of this State:

*Provided*, That this act shall be operative only in those counties, or parts of counties, in which it shall be so determined by resolution passed by the board of supervisors of such county."

When a country is new, but little cleared or enclosed, it is a great convenience to the farmer to let his swine run at large. It is often unavoidable. These laws were made for such a state of things. Since they were made, many of the counties have doubtless outgrown the necessity for them, but a large part of the State is still new and has the same need of these laws that the older counties had at the time they were enacted.

The committee believe that the regulation of this matter is wisely left by our present laws, in the hands of the people of the townships, and the boards of supervisors. They can judge better than we can what the interests of their people require, and they can put the law in operation whenever they think it expedient to do so.

The committee believe the existing law to be as it should be, and much better than the proposed change would make it.

The committee, therefore, have instructed me to report the bill back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

F. G. BAILEY, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cady,

The bill was laid on the table.

#### REPORTS OF SPECIAL COMMITTEES.

The committee appointed to confer with a like committee on the part of the Senate, relative to the amendments made by the Senate to House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit,

And in which amendments the House did not concur, re-

spectfully report that they met with said committee on the part of the Senate, and agreed to the following, viz: That the first Senate amendment to section 4 be amended by striking out the words "two miles thereof;" and inserting after word "within" these words: "all that part of the township of Springwells lying between the present city limits and Lover's Lane, so called, and between the Detroit, Monroe, & Toledo Railroad and the Detroit River," and that the House concur in the other Senate amendments; and your committee recommend that the said bill be so amended, and ask to be discharged from the further consideration of the subject.

JOHN GREUSEL,

*Chairman on the part of the House.*

Report accepted and committee discharged.

Mr. Edwards moved that the House concur in the amendments made to the bill by the committee;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Rose,
Bailey,	Haire,	Scott,
Bartholomew,	Harris,	Sessions.
Bonine,	Haywood,	Shaw,
Bottomley,	Hertzler,	Simpson,
Briggs,	Hewitt,	Smith,
Brunson,	Hoar,	Speed,
Burns,	Hosner,	Striker,
Cady,	Hoyt,	Thompson,
Carter,	Kellogg,	Van Aken,
Chafey,	Knapp,	Van Scoy,
Chamberlain,	Lamb,	A. Walker,
Climie,	Lockwood,	B. Walker,
Cook,	Markey,	J. Walker,
Curtis,	E. R. Miller,	Walton,
Edwards,	R. C. Miller,	Warren,
Eggleston,	Mitchell,	E. C. Watkins,
Fancher,	Morse,	Welch,
Ferguson,	O'Dell,	Welker,
Fey,	Parsons,	West,
Garfield,	Pierce,	Wheeler,
Garvelink,	Priest,	Withington,
Gordon,	Remer,	Wixson,

Mr. Grant,	Mr. Robinson,	Mr. Zimmerman,	
Green,	Robertson,	Speaker,	75
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, April 22, 1873. }

*To the House of Representatives:*

I have this day approved and deposited in the office of the Secretary of State, the following:

1. An act to amend section 10 of chapter 47 of the revised statutes of 1846, being section 2022 of chapter 58, of the compiled laws of 1871, relating to the sale of stray beasts and the disposition of proceeds ;

2. An act to amend sections 14, 24, 57, and 84 of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act No. 249 of the session laws of 1871 ;

3. An act to organize the township of Sibley, in Keweenaw county ;

4. An act to relieve mining corporations and their officers in the Upper Peninsula, who have failed to make their reports and returns as required by law ;

5. An act to provide for the incorporation of ecclesiastical bodies and societies ;

6. An act to revise the charter of the village of White Hall ;

7. An act to amend sections 2 and 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws of 1871, and to authorize the salaries of judges of probate," approved February 15, 1859, being sections 7436 and 7439 of the compiled laws of 1871 ;

8. An act to regulate the transportation of nitro-glycerine and other explosive substances ;

9. An act to prevent the advertisement and sale of drugs or medicines designed to produce criminal abortion ;

10. An act to amend sections 5657 and 5658 of the compiled laws of 1871, being sections 7 and 8 of an act entitled "An act to provide for the appointment of a State reporter," approved April 17, 1871 ;

11. An act to amend section 55, being section 8100, chapter 267 of the compiled laws of 1871, relative to the State Prison and the government and discipline thereof ;

12. An act to amend an act entitled "An act to provide for fees of appraisers, commissioners, and others," the same being section 7449, chapter 239 of the compiled laws of 1871 ;

13. An act to amend section 23 of chapter 163 of the revised statutes of 1846, being section 7865 in chapter 259 of the compiled laws, entitled "The arrest and examination of offenders, commitment for trial, and taking bail ;"

14. An act to repeal section 4371, chapter 155 of the compiled laws of 1871, the same being an act entitled "An act to provide for letters testamentary and other proceedings on the probate of a will ;"

15. An act to "amend section 65 of chapter 58 of the revised statutes of 1846, being section 3635 of the compiled laws of 1871, relative to the use of school-houses ;"

16. An act to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relating to judgments and executions ;

17. An act to amend section 1 of chapter 26 of compiled laws of 1871 (page 439), relative to the laying out of highways through orchards ;

18. Joint resolution relative to the appointment of an agent for the collection of the amount due from the United States to the State of Michigan, on account of lands in this State disposed of by Indian reservation, military warrants, and land scrip issued for military services in the wars of the United States.

JOHN J. BAGLEY.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, April 22, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution: Senate manuscript joint resolution, entitled

Joint resolution to appropriate a sum of money and provide for the laying of the corner stone of the new State Capitol,

In accordance with the request of the House this day received.

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 22, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies;

Which the House amended as follows:

1st. By inserting in line 7, section 1, article 2, after the word "and," the following: "may provide;"

2d. Strike out of line 8, section 1, article 2, the word "to," and insert in lieu thereof the word "may;"

3d. Insert in line 11, section 1, article 2, after the word "for," the word "him;"

4th. Strike out of line 1, section 2, article 2, the words "claiming organization," and insert in lieu thereof the word "organized;"

5th. Strike out of line 15, section 2, article 2, the word "are," and insert in lieu thereof the words "shall be;"

6th. Strike out of line 16, section 2, article 2, the word "railway," and insert in lieu thereof the word "railroad;"

7th. Strike out of line 8, section 3, article 2, the words "every year;"

8th. Strike out of line 9, section 3, article 2, the word "and," where it first occurs;

9th. Strike out in lines 19 and 20, section 3, article 2, the words "a majority in value of the stockholders," and insert in lieu thereof the following: "The stockholders representing a majority of the stock;"

10th. Insert in line 3, section 5, article 2, after the word "refusal," the words "of any subscriber;"

11th. Insert in line 27, section 9, article 2, after the word "streams," the following: "And shall construct suitable road and street crossings for the passage of teams by fitting down planks between and on each side of the rails of such road, the top of which shall be at least as high as the top of the rails of such road;"

12th. Strike out in line 27, section 9, article 2, the words "interfere with," and insert in lieu thereof the words "materially obstruct;"

13th. Strike out in line 54, section 9, article 2, the word "ten," and insert in lieu thereof the word "five;"

14th. Add to section 9, article 2, the following: "*Provided*, That in the Upper Peninsula five cents per mile may be charged and collected on all railroads: *And provided further*, That the provisions of this act shall not apply to the Paw Paw railroad;"



15th. Insert at end of line 52, section 9, article 2, the following words, "except on roads operating less than 20 miles of road ;"

16th. Insert in the 11th line, section 10, article 2, after the word "corporation," the following words: "*Provided*, That perishable or explosive freight and property shall have the preference over all other classes of merchandise ;"

17th. Strike out in line 7, article 2, the following words: "by the conductor in charge of the train ;"

18th. Insert in line 7, section 11, article 2, after the word "refunded," the following words: "by the company ;"

19th. Insert in line 7, section 10, article 2, after the word "merchandise," the following words: "wood, lumber, and other ;"

20th. Strike out in line 2, section 12, article 2, the following words: "previous to," and insert the following words: "immediately preceding ;"

21st. Strike out in line 2, section 12, article 2, the following words: "the time advertised for ;"

22d. Strike out section 13, article 2 ;

23d. Strike out in line 3, section 12, article 2, the following words: "by notice given ;"

24th. Insert at the end of line 26, section 19, article 2, the following words: "as follows, viz.;"

25th. Insert in line 38, section 19, article 2, after the word "such," the following words: "person or ;"

26th. Insert in line 1, section 21, article 2, after the word "court," the following words: "or the judge thereof at chambers ;"

27th. Insert in line 17, section 22, article 2, after the word "for," the following words: "damages and ;"

28th. Insert at the end of section 27, article 2, the following words:

"*Provided*, Any railroad company which have heretofore entered upon, taken, occupied, and used any lands within this

State for the purpose of their road, shall have the same right to acquire titles to, or right of way over, said lands so taken by them as if they had proceeded to acquire said title or right of way before having entered upon the same ;”

29th. Insert in line 7, section 29, article 2, after the word “act,” the following words: “not having the same terminal points, and not being a competing line ;”

30th. Strike out in line 5, section 32, article 2, the following words: “the right of ;”

31st. Strike out in line 7, section 4, article 3, the word “addressed ;”

32d. Insert in line 1, section 5, article 4, after the word “engineer,” the following words: “train dispatcher ;”

33d. Insert in line 1, section 11, article 4, after the word “State,” the following words: “The engine shall be placed at the lead of the train and ;”

34th. Insert at the end of section 13, article 4, the following words: “This provision shall not apply to boards already erected at the time of the passage of this act ;”

35th. Strike out in line 3, section 15, article 4, after the word “law,” all words to and including the word “railway,” in 10th line, and insert in lieu thereof the following words: “With fences and cattle guards at all highway and street crossings, sufficient to prevent cattle or other animals from getting on such railroad. Also, gates or bars convenient for farm crossings ;”

36th. Insert at the end of section 16, article 4, the following words: “When the existence of such fire is communicated to any of the officers of such company ;”

37th. Strike out in line 1, section 15, article 2, the word “railway,” and insert in lieu thereof the word “railroad ;”

38th. Strike out in line 1, section 5, article 3, the word “railways,” and insert in lieu thereof the word “railroads ;”

39th. Strike out in lines 2 and 4, section 3, article 4, the word “railway,” and insert in lieu thereof the word “railroad ;”

40th. Strike out in line 2, section 4, article 4, the word "railway," and insert in lieu thereof the word "railroad;"

41st. Strike out in line 1, section 7, article 4, the word "railway," and insert in lieu thereof the word "railroad;"

42d. Strike out in line 1, section 11, article 4, the word "railway," and insert in lieu thereof the word "railroad;"

43d. Strike out in line 1, and line 2, line 7, line 10, line 16, line 20, section 15, article 4, the word "railway," and insert in lieu thereof the word "railroad;"

44th. Strike out in line 1, section 16, article 4, the word "railway," and insert in lieu thereof the word "railroad;"

45th. Strike out in line 1, section 8, article 5, the word "railway," and insert in lieu thereof the word "railroad;"

And to inform the House that the Senate has non-concurred in the 14th, 22d, 35th, and 36th of the above named amendments.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. E. C. Watkins moved that the House insist on the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Greusel,	Robertson,
Bottomley,	Haire,	Rose,
Breitung,	Harris,	Shaw,
Briggs,	Haywood,	Simpson,
Buell,	Hertzler,	Speed,
Burns,	Hewitt,	Striker,
Cady,	Hoar,	Thompson,
Carter,	Hosner,	Van Scoy,
Chafey,	Howard,	A. Walker,
Climie,	Hoyt,	B. Walker,
Cook,	Kellogg,	Warren,
Edwards,	Knapp,	C. W. Watkins,
Eggleston,	Lamb,	E. C. Watkins,
Ferguson,	Markey,	Welch,
Fey,	Noyes,	Welker,
Garfield,	Priest,	West,

Mr. Garvelink, Gordon, Grant, Green,	Mr. Remer, Rich, Ripley, Robinson,	Mr. Wheeler, Wixson, Zimmerman, Speaker,	60
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## NAYS.

Mr. Bonine, Chamberlain, Curtis, Drake,	Mr. Drew, Goodrich, E. R. Miller, Morse,	Mr. O'Dell, Sessions, J. Walker, Walton,	12
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Mr. Buell moved that a committee of three be appointed on the part of the House to act with a like committee on the part of the Senate as a committee of conference relative to the difference existing between the two Houses in regard to the bill ;

Which motion prevailed.

The Speaker announced as such committee on the part of the House, Messrs. Buell, E. C. Watkins, and Ackley.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 22, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 344, entitled

A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to the "manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 22, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to inform the House that Senators Richardson, Sutton, and King have been appointed a committee on the part of the Senate to confer with the committee of the House on the disagreements between the two Houses relative to House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit.

Very respectfully,  
 JAMES H. STONE,  
*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 22, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 259, entitled

A bill to amend sections 10 and 12 of an act entitled "An act to establish a House of Correction for juvenile offenders," approved February 10, 1855, as amended by act No. 130 of the laws of 1867, entitled "An act to amend act No. 250 of the session laws of 1861, and to add a new section thereto relative to juvenile offenders," approved March 27, 1867, being section 8135 of chapter 268 of the compiled laws of 1871 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very respectfully,  
 JAMES H. STONE,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on Reform School.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 27, entitled

Joint resolution providing for the preparation of an index to the Senate and House bills now on file in the State library ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 21, 1873.* }

SIR—I am instructed to return to the House the following bill:

House bill No. 289, entitled

A bill to provide for the taxation of persons, associations, and corporations doing business in this State, in running sleeping and palace cars over or upon the several railroads in this State ;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 22, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House manuscript bill, entitled

A bill to amend an act entitled “An act to revise the charter of the city of Grand Rapids,” being amendatory of an act entitled “An act to incorporate the city of Grand Rapids,” approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 14, 1871 ;

And to inform the House that the Senate has amended the same by striking out section 8, including recited sections 5, 28, 45, 46, and 51 ; also by making section 9 to stand as section 8.

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Eggleston moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
 Bottomley,  
 Breitung,  
 Brigga,  
 Brunson,  
 Burns,  
 Carter,  
 Chamberlain,  
 Olimie,  
 Cook,  
 Curtis,

Mr. Haire,  
 Harris,  
 Haywood,  
 Hertzler,  
 Hewitt,  
 Hosner,  
 Howard,  
 Hoyt,  
 Kellogg,  
 Knapp,  
 Lamb,

Mr. Sessions,  
 Shaw,  
 Simpson,  
 Smith,  
 Speed,  
 Striker,  
 Thompson,  
 Van Aken,  
 Van Scoy,  
 A. Walker,  
 B. Walker,

Mr. Drake,	Mr. Luce,	Mr. J. Walker,	
Drew,	Markey,	Walton,	
Edwards,	Mitchell,	Warren,	
Eggleston,	Morse,	C. W. Watkins,	
Fancher,	Noyes,	Welch,	
Fey,	Parsons,	Welker,	
Garfield,	Priest,	West,	
Garvelink,	Remer,	Wheeler,	
Gordon,	Rich,	Wixson,	
Grant,	Robinson,	Zimmerman,	
Green,	Rose,	Speaker,	
Greusel,	Scott,		67
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Eggleston, leave being granted, introduced

Joint resolution authorizing the Governor to employ counsel to assist in the prosecution of the alleged frauds upon the State Land office.

The joint resolution was read a first and second time by its title, and referred to the special committee on the frauds in the State Land office.

Mr. Edwards, leave being granted, moved to take from the table House bill No. 377, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof;

Which motion prevailed.

The question being on the passage of the bill,

Mr. Greusel moved to amend the bill by adding the following to stand as section 53.

"All taxes for municipal purposes and the issue of all municipal bonds authorized, or hereafter to be authorized, shall be submitted by the common council to the board of estimates and approved by said board, or so much thereof as a majority of all the members elect of said board shall deem expedient, and all acts, or parts of acts amendatory of, or supplementary



to, the charter of the city of Detroit in conflict with the provisions of this section are hereby repealed ;”

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Haywood,	Mr. Scott,
Bailey,	Hertzler,	Sessions,
Bartholomew,	Hewitt,	Simpson,
Brunson,	Hoar,	Smith,
Buell,	Howard,	Speed,
Burns,	Hoyt,	Striker,
Cady,	Kellogg,	Thompson,
Climie,	Lockwood,	Van Aken,
Cook,	Luce,	Van Scoy,
Drake,	Markey,	A. Walker,
Edwards,	E. R. Miller,	B. Walker,
Fancher,	R. C. Miller,	J. Walker,
Ferguson,	Mitchell,	Walton,
Fey,	Noyes,	Warren,
Garvelink,	O'Dell,	Welch,
Goodrich,	Parsons,	Welker,
Gordon,	Pierce,	West,
Grant,	Priest,	Wheeler,
Green,	Rich,	Withington,
Greusel,	Robinson,	Wixson,
Haire,	Robertson,	Speaker,
Harris,	Rose,	

65

## NAYS.

Mr. Zimmerman, 1

Title agreed to.

On motion of Mr. Edwards,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Knapp, leave being granted, moved to take from the table House manuscript bill entitled

A bill to provide for the formation of school district No. 8, in the township of White Lake, in Oakland county, and State of Michigan ;

Which motion prevailed.

On motion of Mr. Knapp,

The bill was placed on the order of third reading.

THIRD READING OF BILLS.

House bill No. 191, entitled

A bill to provide for the protection and propagation of the more valuable kinds of fish in Brace Lake, Calhoun county Michigan,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Mitchell moved to amend the bill by adding thereto the following, to stand as section 5:

"Sec. 5. If any owner or owners of land, person or persons owning land bordering on said Brace lakes, or either of them, or person or persons seeking to protect and propagate the various kinds of fish in said lakes, shall not comply with the provisions of this act ninety days after its passage, or any time thereafter, the protection herein sought shall be of no avail, and the provisions of this act null and void;"

Which was agreed to.

Mr. Gordon demanded the previous question.

The demand was seconded, and the main question ordered.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. E. R. Miller,
Bottomley,	Gordon,	Mitchell,
Breitung,	Grant,	Priest,
Burns,	Haire,	Robertson,
Cady,	Harris,	Rose,
Caplis,	Haywood,	Scott,
Chamberlain,	Hoar,	Shaw,
Cook,	Hosner,	Simpson,
Edwards,	Howard,	Speed,
Eggleston,	Lamb,	O. W. Watkins,
Fey,	Lewis,	Wheeler,
Garvelink,	Lockwood,	Speaker, 36

NAYS.

Mr. Bailey,	Mr. Hewitt,	Mr. Thompson,
Bartholomew,	Hoyt,	Van Aken,

Mr. Bonine,	Mr. Luce,	Mr. Van Scoy,
Briggs,	Markey,	A. Walker,
Brunson,	R. C. Miller,	B. Walker,
Carter,	Morse,	J. Walker,
Chafey,	O'Dell,	Walton,
Drake,	Pierce,	Warren,
Drew,	Rich,	Welch,
Fancher,	Robinson,	Welker,
Ferguson,	Sessions,	West,
Garfield,	Smith,	Wixson,
Greusel,	Striker,	Zimmerman,
Hertzler,		

40

Mr. Caplis moved that there be a call of the House ;

Which motion prevailed.

On motion of Mr. Caplis,

All further proceedings under the call were dispensed with.

House bill No. 292, entitled

A bill to convey the title of the State of Michigan, in and to certain estates, to Mary Jane Conroy,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas, and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robinson,
Bonine,	Haywood,	Robertson,
Bottomley,	Hertzler,	Rose,
Breitung,	Hewitt,	Scott,
Briggs,	Hoar,	Sessions,
Brunson,	Hosner,	Shaw,
Burns,	Howard,	Simpson,
Cady,	Kellogg,	Smith,
Caplis,	Lewis,	Speed,
Climie,	Lockwood,	Striker,
Cook,	Luce,	Thompson,
Curtis,	Markey,	Van Aken,
Drew,	E. B. Miller,	B. Walker,
Edwards,	R. C. Miller,	Warren,
Fancher,	Mitchell,	C. W. Watkins,
Ferguson,	Morse,	Welch,
Fey,	Noyes,	Welker,
Garfield,	O'Dell,	West,
Garvelink,	Pieroe,	Wheeler,
Goodrich,	Priest,	Withington.

Mr. Gordon,  
Green,  
Greusel,

Mr. Remer,  
Rich,

Mr. Wixson,  
Zimmerman,

67

# NAYS.

Mr. Carter,  
Chafey,  
Chamberlain,  
Grant,

Mr. Hoyt,  
Parsons,  
Ripley,  
Van Scoy,

Mr. A. Walker,  
J. Walker,  
Walton,

11

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 8, entitled

Joint resolution for the appointment of commissioners to prepare a code of procedure, or simplify and abridge the practice, pleadings, and proceedings of the courts of this State,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Shaw moved that the joint resolution be made the special order for to-morrow evening at 7½ o'clock ;

Which motion did not prevail.

The Speaker called Mr. Lockwood to the chair.

Pending the consideration of the bill,

On motion of Mr. Van Scoy,

The House took a recess until 2 o'clock this afternoon.

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## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the acting Speaker *pro tem*.

Roll called: quorum present.

The House resumed the order of

## THIRD READING OF BILLS.

The House resumed the consideration of  
Senate joint resolution No. 8, entitled

Joint resolution for the appointment of commissioners to prepare a code of procedure, or simplify and abridge the practice, pleadings, and proceedings of the courts of this State.

The joint resolution having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Garfield moved to amend the joint resolution by striking out in lines 2 and 3, the words "the law," and inserting in lieu thereof the words, "common sense;" also, by striking out in line 6, the words "two thousand," and inserting in lieu thereof, the words "five hundred;"

Which motion did not prevail.

On motion of Mr. Welker,

The joint resolution was amended by inserting in line 4, after the words "New York," the words, "or Ohio."

Mr. Grant moved to amend the joint resolution by striking out all of the resolution after the word "Michigan," in line 1, and inserting in lieu thereof the words "that the judges of the Supreme Court be and they are hereby authorized and required to make such changes in the rules, practice, pleadings, and proceedings of the courts of record of this State as they shall deem expedient, and for the best interests of the State."

Mr. Gordon moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave: Messrs. Ackley, Bartholomew, Bottomley, Breitung, Caplis, Chamberlain, Cook, Goodrich, Harris, Knapp, Noyes, Ripley, Robertson, Thomas, and C. W. Watkins.

On motion of Mr. Van Aken,

The Sergeant-at-Arms was despatched after the absentees.

Mr. Ferguson moved that all further proceedings under the call be dispensed with.

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Ackley at the bar of the House.

On motion of Mr. Edwards,

Mr. Ackley was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Robertson at the bar of the House.

On motion of Mr. Van Scoy,

Mr. Robertson was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Goodrich at the bar of the House.

On motion of Mr. Brunson,

Mr. Goodrich was admitted within the bar, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Ripley at the bar of the House.

On motion of Mr. Van Scoy,

Mr. Ripley was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Harris at the bar of the House.

On motion of Mr. Gordon,

Mr. Harris was admitted within the bar, rendered an excuse, and took his seat.

Mr. Priest moved that all further proceedings under the call be dispensed with ;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Bottomley at the bar of the House

On motion of Mr. Garfield,

Mr. Bottomley was admitted within the bar, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Kellogg at the bar of the House.

On motion of Mr. A. Walker,

Mr. Kellogg was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Cook at the bar of the House.

On motion of Mr. Gordon,

Mr. Cook was admitted within the bar, rendered an excuse and took his seat.

Mr. E. R. Miller moved that all further proceedings under the call be dispensed with.

Mr. Speed moved to amend the motion by adding thereto "that the Sergeant-at-Arms be directed to use due diligence to bring in the absentees ;"

Which was agreed to.

The motion, as amended, then prevailed.

The question being on amending the joint resolution,

Mr. Bonine demanded the previous question.

The demand was seconded and the main question ordered.

The motion to amend the joint resolution did not then prevail.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Bailey,	Mr. Haywood,	Mr. Priest,
Briggs,	Hertzler,	Rich,
Brunson,	Hosner,	Ripley,
Chafey,	Howard,	Robinson,
Climie,	Kellogg,	Robertson,
Curtis,	Lamb,	Rose,
Dinturff,	Lewis,	Scott,
Drake,	Lockwood,	Sessions,
Drew,	Luce,	Simpson,
Edwards,	Markey,	Striker,
Fancher,	E. R. Miller,	Thomas,
Ferguson,	R. O. Miller,	Thompson,
Fey,	Morse,	J. Walker,

Mr. Garvelink,  
Goedrich,  
Gordon,  
Green,  
Grensel,

Mr. Noyes,  
O'Dell,  
Parsons,  
Pierce,

Mr. Warren,  
Welch,  
Welker,  
Wheeler,

59

## NAYS.

Mr. Ackley,  
Bonine,  
Bottomley,  
Cady,  
Carter,  
Cook,  
Garfield,  
Grant,

Mr. Haire,  
Harris,  
Hewitt,  
Hoar,  
Smith,  
Speed,  
Van Aken,

Mr. Van Scoy,  
A. Walker,  
B. Walker,  
Walton,  
West,  
Wixson,  
Zimmerman,

22

Title and preamble agreed to.

Mr. Lamb moved to reconsider the vote by which the House passed the joint resolution.

On motion of Mr. Lamb,

The motion to reconsider was laid on the table.

The Sergeant-at-Arms announced Mr. Thomas at the bar of the House.

On motion of Mr. Bottomley,

Mr. Thomas was admitted within the bar, rendered an excuse, and took his seat.

Mr. Briggs, leave being granted, moved that the Clerk of the House be instructed to transmit a respectful message to the Senate, requesting that body to return to the House Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for the revision of the constitution of the State of Michigan ;

Which motion prevailed.

Mr. Bonine, leave being granted, offered the following:

*Resolved*, That the Clerk of the House be authorized to issue certificates for payment of per diem of officers, members, and employes of the House up to and including the day of the final adjournment and deliver the same on Friday next;

Which was adopted.



Senate bill No. 230, entitled

A bill to amend sections 3, 11, 14, 15, 16, 18, 19, 20, 21, 22, 23, 27, 28, 34, 35, 36, 37, 61, 63, 64, 65, 66, 79, 93, 94, 95, 119, 120, 124, 126, 127, and 141 of title 8, chapter 21 of the compiled laws of 1871, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Grant,

The further consideration of the bill was indefinitely postponed.

House joint resolution No. 31, entitled

Joint resolution authorizing the issue of a patent to Joseph R. Smith, upon school-land certificate No. 1616,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Welker,

The joint resolution was laid on the table.

Senate bill No. 48, entitled

A bill relative to the service of process upon insurance companies not incorporated under the laws of this State,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Speed moved to amend the bill by inserting in line 6, section 7, after the word "writ," the word "declaration ;"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Bailey,  
Bonine,  
Bottomley,  
Brigge,  
Brunson,  
Cady,

Mr. Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,

Mr. Ripley,  
Robinson,  
Robertson,  
Sessions,  
Smith,  
Speed,  
Striker,

Mr. Carter,	Mr. Kellogg,	Mr. Thompson,	
Chafey,	Lamb,	Van Aken,	
Climie,	Lewis,	Van Scoy,	
Cook,	Lockwood,	A. Walker,	
Curtis,	Luce,	B. Walker,	
Drake,	Markey,	J. Walker,	
Drew,	E. R. Miller,	Walton,	
Edwards,	Morse,	Warren,	
Fancher,	O'Dell,	Welker,	
Fey,	Parsons,	West,	
Garfield,	Pierce,	Wheeler,	
Green,	Priest,	Wixson,	
Greusel,	Rich,	Zimmerman,	61
Haire,			
	NAYS.		0

Title agreed to.

On motion of Mr. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 19, entitled

A bill to provide for the printing and publication of the territorial laws of the Territory of Michigan,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Ferguson moved to amend the bill by inserting in line 3, section 4, after the word "public," the words "and the members and officers of the present Legislature ;

Which was not agreed to.

Mr. Rich moved to amend the bill by striking out in line 2, section 3, the word "two," and by inserting in lieu thereof the word "five ;"

Which motion did not prevail.

Mr. Bottomley moved to amend the bill by striking out the whole of section 4 ;

Which motion did not prevail.

On motion of Mr. Noyes,

The further consideration of the bill was indefinitely postponed.

House bill No. 382, entitled

A bill relative to the sale of real estate on executions,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Rich,

The further consideration of the bill was indefinitely postponed.

House joint resolution No. 32, entitled

Joint resolution for the relief of George Krouse,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Bonine,

The further consideration of the joint resolution was indefinitely postponed.

House bill No. 379, entitled

A bill for the relief of Henry Gilbert,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Howard moved to insert after the word "the" in line 6 of the first preamble, "prison inspectors shall determine."

Mr. Curtis demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to amend the bill did not then prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Bonine,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Carter,  
Chafey,  
Olimie,  
Cook,  
Drake,  
Drew,

Mr. Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Kellogg,  
Lamb,  
Lewis,  
Lockwood,

Mr. Parsons,  
Ripley,  
Robinson,  
Robertson,  
Scott,  
Sessions,  
Smith,  
Speed,  
Striker,  
Thompson,  
A. Walker,  
B. Walker,

Mr. Edwards,  
Fancher,  
Garvelink,  
Gordon,  
Green,

Mr. Markey,  
E. R. Miller,  
R. C. Miller,  
Morse,  
O'Dell,

Mr. J. Walker,  
Walton,  
Warren,  
Wixson,  
Zimmerman, 51

# NAYS.

Mr. Bailey,  
Bottomley,  
Cady,  
Curtis,  
Ferguson,  
Fey,

Mr. Garfield,  
Goodrich,  
Greusel,  
Luce,  
Noyes,  
Pierce,

Mr. Priest,  
Rich,  
Simpson,  
Van Aken,  
Van Scoy,

17

Title agreed to.

Mr. Scott moved that the House take a recess until 7½ o'clock this evening ;

Which motion did not prevail.

House joint resolution No. 13, entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors against transferring the land grant of the Port Huron and Milwaukee railroads to any other railroad or corporation, and that the lands be restored to entry under the provisions of the homestead law,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Howard moved that the further consideration of the joint resolution be indefinitely postponed.

Mr. Ripley demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

# YEAS.

Mr. Ackley,  
Brunson,  
Cady,  
Chafey,  
Olimie,  
Cook,

Mr. Drake,  
Drew,  
Edwards,  
Haywood,  
Howard,  
Lockwood,

Mr. R. C. Miller,  
Priest,  
Speed,  
A. Walker,  
Warren,

17

# NAYS.

Mr. Bailey,  
Bonine,  
Bottomley,

Mr. Harris,  
Hertzler,  
Hewitt,

Mr. Robertson,  
Rose,  
Simpson,

Mr. Briggs,	Mr. Hoar,	Mr. Smith,
Buell,	Hoaner,	Striker,
Carter,	Kellogg,	Thompson,
Curtis,	Lamb,	Van Aken,
Fancher,	Luce,	Van Scoy,
Ferguson,	Markey,	B. Walker,
Fey,	E. R. Miller,	J. Walker,
Garfield,	Morse,	Walton,
Garvelink,	Noyes,	Welch,
Goodrich,	O'Dell,	Welker,
Gordon,	Parsons,	West,
Green,	Pierce,	Wheeler,
Greusel,	Rich,	Wixson,
Haire,	Ripley,	Zimmerman, 51

The question being on the passage of the joint resolution,

The joint resolution was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ferguson,	Mr. E. R. Miller,	Mr. Thompson,
Garfield,	Noyes,	Van Aken,
Goodrich,	O'Dell,	J. Walker,
Green,	Parsons,	Welker,
Greusel,	Pierce,	West,
Hewitt,	Ripley,	Wheeler,
Lamb,	Simpson,	Wixson,
Luce,	Smith,	Zimmerman,
Markey,	Striker,	26

## NAYS.

Mr. Ackley,	Mr. Edwards,	Mr. Priest,
Bailey,	Fancher,	Rich,
Bonine,	Fey,	Robinson,
Bottomley,	Garvelink,	Robertson,
Briggs,	Gordon,	Rose,
Brunson,	Haire,	Scott,
Buell,	Haywood,	Sessions,
Cady,	Hertzler,	Speed,
Chafey,	Hoar,	Van Scoy,
Climie,	Howard,	A. Walker,
Cook,	Kellogg,	B. Walker,
Curtis,	Lockwood,	Walton,
Drake,	R. C. Miller,	Warren,
Drew,	Morse,	Welch, 49

Mr. Noyes moved that the House adjourn.

Which motion did not prevail.

On motion of Mr. Greusel,

The House took a recess until 7:30 o'clock this evening.

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EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

The Sergeant-at-Arms announced Mr. C. W. Watkins at the bar of the House.

On motion of Mr. Haire,

Mr. C. W. Watkins was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Caplis at the bar of the House.

On motion of Mr. Rose,

Mr. Caplis was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Breitung at the bar of the House.

On motion of Mr. Bonine,

Mr. Breitung was admitted within the bar, rendered an excuse, and took his seat.

Senate bill No. 124, entitled

A bill to provide for the incorporation of State, county, or municipal historical, biographical, and geographical societies;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ripley moved to amend the bill by striking out the *proviso* in section 5;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr Green,	Mr. Scott,
Bailey,	Haire,	Sessions,
Bonine,	Harris,	Shaw,
Bottomley,	Hertzler,	Simpson,
Breitung,	Hewitt,	Smith,
Briggs,	Hoar,	Speed,
Buell,	Hosner,	Striker,
Burns,	Howard,	Thompson,
Cady,	Kellogg,	Van Aken,
Carter,	Lewis,	Van Scoy,
Chamberlain,	Lockwood,	Walton,
Climie,	E. R. Miller,	Warren,
Cook,	R. C. Miller,	C. W. Watkins,
Curtis,	Morse,	Welch,
Drake,	Parsons,	Welker,
Drew,	Pierce,	West,
Edwards,	Priest,	Wheeler,
Fancher,	Bemer,	Withington,
Fey,	Rich,	Wixson,
Garvelink,	Ripley,	Speaker,
Gordon,	Robinson,	

62

## NAYS.

Mr. Brunson,	Mr. Greusel,	Mr. Markey,
Caplis,	Haywood,	Noyes,
Chafey,	Hoyt,	E. C. Watkins,
Garfield,	Lamb,	Zimmerman,
Goodrich,	Luce,	

14

Title agreed to.

On motion of Mr. Haire,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 227, entitled

A bill to amend section 4 of an act entitled "An act to provide for the incorporation of savings associations," approved April 3d, 1869, as amended by act approved April 17, 1871, being section 2260 of compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Garvelink,	Mr. Remer,
Bonine,	Gordon,	Rich,
Bottomley,	Green,	Ripley,
Breitung,	Haire,	Robinson,
Brunson,	Harris,	Scott,
Buell,	Hertzler,	Shaw,
Burns,	Hewitt,	Speed,
Cady,	Hour,	Striker,
Caplis,	Hosner,	Thompson,
Carter,	Howard,	Van Aken,
Chafey,	Hoyt,	J. Walker,
Chamberlain,	Kellogg,	Walton,
Climie,	Lamb,	E. C. Watkins,
Cook,	Lewis,	Welker,
Curtis,	Lockwood,	West,
Drake,	Markey,	Wheeler,
Drew,	Morse,	Withington,
Fancher,	Noyes,	Wixson,
Fey,	Parsons,	Zimmerman,
Garfield,	Priest,	59

## NAYS.

Mr. Edwards,	Mr. Greusel,	Mr. Pierce,	3
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Title agreed to.

On motion of Mr. Fey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 100, entitled

A bill to prescribe the course of study in common schools,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. J. Walker moved that the further consideration of the bill be indefinitely postponed.

Mr. Speed demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Chafey,	Mr. Green,	Mr. Simpson,
Chamberlain,	Greusel,	Striker,
Climie,	Hertzler,	Van Aken,



Mr. Cook, Drake, Drew, Edwards, Fancher, Garfield, Goodrich,	Mr. Hosner, Kellogg, Lewis, Lockwood, Markey, Morse, Noyes,	Mr. Van Scoy, J. Walker, E. C. Watkins, Welker, Wixson, Zimmerman,
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29

## NAYS.

Mr. Ackley, Bailey, Bottomley, Breitung, Brunson. Buell, Burns, Cady, Caplis, Carter, Curtis, Fey, Garvelink, Gordon,	Mr. Harris, Hewitt, Hoar, Howard, Hoyt, Lamb, E. R. Miller, R. O. Miller, Parsons, Pierce, Priest, Remer, Rich, Ripley,	Mr. Robinson, Sessions, Shaw, Smith, Speed, B. Walker, Walton, Warren, C. W. Watkins, West, Wheeler, Withington, Speaker,
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41

On motion of Mr. E. R. Miller,

The bill was laid on the table.

Mr. Hosner, leave being granted, moved to take from the table House manuscript bill, entitled

A bill to organize the township of Lake in Benzie county;

Which motion prevailed.

The question being on the passage of the bill, the veto of Governor notwithstanding,

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley, Bailey, Bonine, Bottomley, Breitung, Brunson, Buell, Burns, Cady,	Mr. Gordon, Green, Greusel, Harris, Haywood, Hertzler, Hewitt, Hoar, Hosner,	Mr. Rich, Robertson, Robinson, Scott, Sessions, Shaw, Simpson, Smith, Speed,
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Mr. Caplis,	Mr. Hoyt,	Mr. Striker,
Carter,	Kellogg,	Thompson,
Chafey,	Lamb,	Van Aken,
Chamberlain,	Lewis,	Van Scoy,
Climie,	Lockwood,	B. Walker,
Cook,	Luce,	J. Walker,
Curtis,	Markey,	Walton,
Drake,	R. C. Miller,	Warren,
Drew,	Morse,	C. W. Watkins,
Edwards,	Noyes,	E. C. Watkins,
Fancher,	O'Dell,	Welker,
Ferguson,	Parsons,	West,
Fey,	Perry,	Wheeler,
Garfield,	Pierce,	Withington,
Garvelink,	Priest,	Wixson,
Goodrich,	Remer,	Zimmerman, 75

NAYS.

0

Title agreed to.

On motion of Mr. Hosner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Scott, leave being granted, offered the following:

*Resolved*, That when the directors of the Plymouth plank road company fully comply with the arrangements already made with the commissioners of highways for the township of Plymouth in releasing their franchises and road bed to said commissioners, the Attorney General be relieved from any further proceedings against such company;

Which was adopted.

Mr. Hoar moved to take from the table House bill No. 84, entitled

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relative to primary schools;

Which motion prevailed.

The question being on concurring in the following amendments made to the bill by the Senate;

1. By striking out the word "eleven," in line 1 of section 1, and inserting in lieu thereof the word "twelve;" also,

by striking out the words "ninety-two," in line 3 of same section, and inserting in lieu thereof the words "ninety-three;"

2. By striking out recited section 11 ;

3. By adding a new section to stand as section 12 and to read as follows :

Sec. 12. Special meetings may be called by the district board, and it shall be the duty of said board, or any one of them, to call such meetings on the written request of not less than five legal voters of the district, by giving the notice required in the next succeeding section, and the questions upon which the district is empowered to act in section 24 of this act at the annual meeting, may instead thereof be determined at a special meeting called for that purpose at any time within two months previous to the annual meeting. No business shall be transacted at a special meeting unless the subject is indicated in the notice for said meeting ;

Mr. Hoar moved that the House do concur ;

Which motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Rich,
Bailey,	Haywood,	Robinson,
Bonine,	Hoar,	Robertson,
Bottomley,	Hosner,	Scott,
Breitung,	Howard,	Sessions,
Brunson,	Hoyt,	Shaw,
Buell,	Lamb,	Speed,
Burns,	Lewis,	Thompson,
Cady,	Lockwood,	Van Aken,
Caplis,	E. R. Miller,	Walton,
Chafey,	Morse,	Warren,
Chamberlain,	Noyes,	C. W. Watkins,
Olimie,	O'Dell,	E. C. Watkins,
Cook,	Parsons,	Welker,
Edwards,	Perry,	Withington,
Fancher,	Pierce,	Wixson,
Ferguson,	Priest,	Zimmerman,
Fey,	Ramer,	Speaker,
Gordon,		

## NAYS.

Mr. Briggs,  
Carter,  
Curtis,  
Drake,  
Drew,  
Garfield,  
Garvelink,  
Goodrich,

Mr. Green,  
Greusel,  
Hertzler,  
Hewitt,  
Kellogg,  
Luce,  
R. C. Miller,  
Ripley,

Mr. Simpson,  
Smith,  
Striker,  
Van Scoy,  
B. Walker,  
J. Walker,  
Wheeler,

23

The question being on agreeing to the amendment made by the Senate in striking out the word "eleven," and inserting in lieu thereof the word "twelve;" also, by striking out the words "ninety-two," and insert in lieu thereof the words "ninety-three,"

The same was agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Senate bill No. 261, entitled

A bill to amend an act entitled "An act to ascertain the annual cereal products of the State of Michigan," approved February 14, 1859,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Luce moved that the further consideration of the bill be indefinitely postponed ;

Which motion prevailed.

Senate manuscript bill, entitled

A bill for the relief of Henry Bera, late treasurer of the township of Johnstown in the county of Barry,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,  
Bonine,  
Bottomley,  
Breitung,  
Brunson,  
Burns,

Mr. Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hosner,  
Howard,

Mr. Ripley,  
Robinson,  
Robertson,  
Sessions,  
Shaw,  
Smith,

Mr. Cady,	Mr. Kellogg,	Mr. Speed,
Carter,	Lamb,	Striker,
Chafey,	Lewis,	Thompson,
Climie,	Lockwood,	Van Aken,
Cook,	Luce,	Van Scoy,
Curtis,	Markey,	B. Walker,
Edwards,	E. R. Miller,	J. Walker,
Ferguson,	R. C. Miller,	O. W. Watkins,
Fey,	Morse,	Welker,
Garfield,	Noyes,	West,
Garvelink,	O'Dell,	Wheeler,
Goodrich,	Parsons,	Withington,
Gordon,	Perry,	Wixson,
Green,	Pierce,	Zimmerman,
Greusel,	Priest,	Speaker, 63
NAYS.		

Mr. Walton,

1

Title agreed to.

On motion of Mr. Striker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the protection of fish in any and all the lakes or streams in Branch county,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Welker moved to amend the bill by adding thereto the following: "*Provided*, That so much of an act entitled 'An act to amend section 2087 of the compiled laws of 1871,' being section 1 of an act entitled 'An act to prevent fishing with seines and pound or trap nets in the small inland lakes and streams in the State of Michigan, approved March 11, 1865,' approved March 27, 1873, as relates to spearing fish in Branch county, is hereby repealed;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Garvelink,	Mr. Priest,
Bonine,	Goodrich,	Ripley,
Bottomley,	Gordon,	Robinson,
Breitung,	Greusel,	Rose,
Brunson,	Haywood,	Scott,
Buell,	Hertzer,	Sessions,
Burns,	Hewitt,	Simpson,
Cady,	Hoar,	Smith,
Caplis,	Howard,	Striker,
Carter,	Kellogg,	Thompson,
Chamberlain,	Lewis,	C. W. Watkins,
Cook,	Luce,	Welch,
Curtis,	Markey,	Welker,
Drake,	R. C. Miller,	West,
Edwards,	Morse,	Wheeler,
Ferguson,	Noyes,	Wixson,
Fey,	Pierce,	Speaker, 51

## NAYS.

Mr. Drew,	Mr. Perry,	Mr. J. Walker,
Green,	Rich,	Walton,
Lamb,	Shaw,	Warren,
E. R. Miller,	Van Scoy,	Withington,
Parsons,	B. Walker,	Zimmerman, 15

The question being on agreeing to the title,

Mr. Welker moved to amend the title by adding thereto the following:

“And to repeal so much of an act entitled “An act to amend section 2087 of the compiled laws of 1871, being section 1 of an act entitled ‘An act to prevent fishing with seines and pound or trap nets in the small inland streams in the State of Michigan,’ approved March 11, 1865, approved March 27, 1873, as relates to spearing fish in said county;”

Which motion prevailed.

The title, as amended, was then agreed to.

Mr. Noyes moved that the House adjourn;

Which motion did not prevail.

Senate bill No. 253, entitled

A bill to provide for the publication and distribution of the laws and documents of this State,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Buell moved to amend the bill by adding to section 1 the following :

“The general acts for the incorporation of cities and villages shall be published in a separate volume, properly indexed, and with marginal notes;”

Which was agreed to.

Mr. Briggs moved to amend the bill by adding at the end of section 5 the following :

*And provided further,* That the annual report of the Secretary of State on births, marriages, and deaths shall not be bound with the joint documents, but shall be printed and bound in the same manner as hereinafter provided for the report of the Secretary of State Board of Agriculture, and be distributed by the Secretary of State, one copy each to the supervisors, county clerks, State officers, members of the Legislature, State boards, State institutions, and newspapers of the State, and the remainder in the discretion of the Secretary of State ;

Also, by adding to section 10, the following :

The report of the State Board of Health shall be printed, bound, and distributed in equal number, and in like manner as the report of the State Board of Agriculture, except that instead of being distributed to those engaged in agricultural pursuits, the distribution shall be to officers and members of local boards of health and such other persons as are interested in or laboring for the promotion of the cause of public health ; the same number of copies of the report being placed at the disposal of the State Board of Health as is provided of the agricultural report to the State Board of Agriculture ;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Scott,
Bailey,	Harris,	Shaw,
Bottomley,	Hertzler,	Simpson,
Breitung,	Hewitt,	Smith,
Briggs,	Hoar,	Speed,
Brunson,	Hosner,	Striker,
Buell,	Howard,	Thompson,
Burns,	Hoyt,	Van Aken,
Chafey,	Lamb,	Van Scoy,
Climie,	Lewis,	B. Walker,
Drake,	Markey,	J. Walker,
Edwards,	E. R. Miller,	Warren,
Ferguson,	Parsons,	Welch,
Fey,	Pierce,	Welker,
Garvelink,	Priest,	Wheeler,
Goodrich,	Rich,	Withington,
Gordon,	Remer,	Wixson,
Green,	Robinson,	Zimmerman, 53

## NAYS.

Mr. Bonine,	Mr. R. O. Miller,	Mr. Robertson,
Carter,	Morse,	Sessions,
Cook,	Noyes,	Walton,
Curtis,	O'Dell,	C. W. Watkins,
Garfield,	Perry,	West,
Haywood,	Ripley,	Speaker,
Kellogg,		19

Title agreed to.

Mr. J. Walker moved that the House adjourn,

Which motion did not prevail.

House manuscript bill, entitled

A bill to amend section 84 of chapter 136 of primary school laws, being section 3653 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Garfield,	Mr. Priest,
Bailey,	Garvelink,	Remer,
Bonine,	Goodrich,	Robinson,
Bottomley,	Gordon,	Scott,
Breitung,	Greusel,	Sessions,
Briggs,	Harris,	Shaw,



Mr. Buell,	Mr. Haywood,	Mr. Simpson,
Burns,	Hewitt,	Speed,
Cady,	Hoar,	Striker,
Carter,	Hosner,	Van Scoy,
Chafey,	Lewis,	B. Walker,
Chamberlain,	Markey,	J. Walker,
Olimie,	E. R. Miller,	Warren,
Cook,	Morse,	Welker,
Curtis,	Parsons,	Wheeler,
Ferguson,	Perry,	Wixson,
Fey,	Pierce,	Zimmerman, 51

## NAYS.

Mr. Brunson,	Mr. Noyes,	Mr. Smith,
Drew,	O'Dell,	Van Aken,
Hoyt,	Rich,	Walton,
Lamb,	Robertson,	Welch, 12

Title agreed to.

On motion of Mr. E. R. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Brunson moved that the House adjourn ;

Which motion did not prevail.

House manuscript bill, entitled

A bill to establish and organize a police court in the city of Grand Rapids,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Priest,
Bailey,	Gordon,	Remer,
Bottom ley,	Green,	Ripley,
B reitung,	Grensel,	Robertson,
Brunson,	Harris,	Sessions,
Buell,	Haywood,	Shaw,
Burns,	Hewitt,	Speed,
Cady,	Hoar,	Thompson,
Caplis,	Howard,	Van Scoy,
Chafey,	Hoyt,	B. Walker,
Chamberlain,	Lewis,	Warren,
Cook,	Lockwood,	C. W. Watkins,
Curtis,	Markey,	Wheeler,

Mr. Edwards, Ferguson, Fey, Garfield, Garvelink,	Mr. E. R. Miller. O'Dell, Parsons, Perry, Pierce,	Mr. Withington, Wixson, Zimmerman, Speaker,
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53

## NAYS.

Mr. Bonine, Carter, Climie, Drew, Lamb, R. C. Miller,	Mr. Morse, Noyes, Rich, Simpson, Smith, Striker,	Mr. Van Aken, J. Walker, Walton, Welch, West,
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17

Title agreed to.

House manuscript joint resolution, entitled

Joint resolution authorizing the board of State Auditors to settle with the several reporters of the supreme court, and to collect the amount due from them to the State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley, Bailey, Bonine, Bottomley, Breitung, Brunson, Buell, Burns, Oady, Caplis, Carter, Chafey, Chamberlain, Climie, Cook, Curtis, Drake, Drew, Edwards, Ferguson, Fey, Garfield,	Mr. Green, Greusel, Harris, Haywood, Hewitt, Hoar, Howard, Hoyt, Kellogg, Lamb, Lewis, Lockwood, Markey, E. R. Miller, R. C. Miller, Morse, Noyes, O'Dell, Parsons, Perry, Pierce, Priest,	Mr. Robinson, Robertson, Rose, Scott, Sessions, Shaw, Simpson, Smith, Speed, Striker, Thompson, Van Aken, Van Scoy, B. Walker, Walton, Warren, C. W. Watkins, Welch, Welker, West, Wheeler, Withington,
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Mr. Garvelink, Goodrich, Gordon,	Mr. Remer, Rich, Ripley,	Mr. Wixson, Zimmerman, Speaker,	75
NAYS.			0

Title agreed to.

Mr. Welch moved that the House adjourn;

Which motion did not prevail.

House bill No. 52, entitled

A bill to amend an act entitled "An act for the protection of the rights of females," section 5524 compiled laws of 1871, chapter 178,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley, Bailey, Breitung, Brunson, Burns, Cady, Caplis, Chafey, Cook, Drake, Edwards, Ferguson, Fey, Garvelink, Gordon, Green,	Mr. Greusel, Harris, Hertzler, Hewitt, Hoar, Howard, Hoyt, Kellogg, Lockwood, Markey, E. R. Miller, R. C. Miller, Morse, Noyes, Priest, Remer,	Mr. Robinson, Rose, Smith, Striker, Thompson, Van Aken, Van Scoy, B. Walker, Walton, C. W. Watkins, Welker, West, Wheeler, Wixson, Speaker,	47
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#### NAYS.

Mr. Bonine, Bottomley, Briggs, Buell, Carter, Climie, Curtis, Drew, Garfield, Goodrich,	Mr. Haywood, Lamb, Lewis, O'Dell, Parsons, Pierce, Rich, Ripley, Robertson,	Mr. Scott, Sessions, Shaw, Simpson, Speed, Warren, Welch, Withington, Zimmerman,	29
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House manuscript bill, entitled

A bill to provide for the formation of school district No. 8, in the township of White Lake in Oakland county and State of Michigan,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Perry,

The bill was laid on the table.

Mr. Van Aken moved that the House adjourn;

Which motion did not prevail.

Mr. Morse, leave being granted, offered the following:

*Resolved*, That the resolution prohibiting smoking in the Hall shall be void and of no effect after this date.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and pending the taking of the vote thereon,

On motion of Mr. Cady,

The House adjourned.

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*Lansing, Thursday, April 24, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Fairfield.

Roll called: quorum present.

Absent without leave, Messrs. Caplis, Dinturff, Gilmore, and Sanderson.

Mr. Welker asked and obtained leave of absence for Mr. Dinturff for the day.

Mr. Walton asked and obtained leave of absence for Mr. Gilmore for the forenoon.

Mr. Robinson asked and obtained leave of absence for Mr. Sanderson for the day.

Mr. Priest, leave being granted, offered the following :

*Resolved*, That during the remainder of the present session of this Legislature the order of business of this House be and is hereby suspended.

On motion of Mr. Harris,

The resolution was laid on the table.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the Reform School :

The committee on the Reform School, to whom was referred Senate bill No. 259, entitled

A bill to amend sections 10 and 12 of an act entitled "An act to establish a House of Correction for juvenile offenders," approved February 10, 1855, as amended by act No. 130 of the laws of 1867, entitled "An act to amend act No. 250 of the session laws of 1861, and to add a new section thereto relative to juvenile offenders," approved March 27, 1867, being section 8135 of chapter 268 of the compiled laws of 1871 ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. CHAMBERLAIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Bonine.

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 38, entitled

A bill to amend section 7450 of the compiled laws of 1871, relative to fees of jurors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the Senate, without amendment, recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

The object of the bill is to provide for an increase in the compensation of jurors, which, to your committee, seems but just and reasonable.

E. O. ROSE, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The rules were suspended, and the bill was placed on the order of third reading.

By the special committee to investigate the alleged land office frauds :

The special committee to investigate the alleged land office frauds to whom was referred,

Joint resolution authorizing the Governor to employ counsel to assist in the prosecution of the alleged frauds upon the State Land Office,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The rules were suspended, and the joint resolution was placed on the order of third reading.

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills :

1. House bill No. 283, entitled

A bill to "amend section 65 of chapter 58 of the revised statutes of 1846, being section 3635 of the compiled laws of 1871, relative to the use of school-houses ;"

2. House bill No. 299, entitled

A bill to prevent the advertisement and sale of drugs or medicines designed to produce criminal abortion ;

3. House bill No. 11, entitled

A bill to "amend section 10 of chapter 47 of the revised statutes of 1846, being section 2022 of chapter 58 of the compiled laws of 1871, relating to the sale of stray beasts and the disposition of proceeds ;"

4. House bill No. 224, entitled

A bill to provide wives with property and maintenance from their husband's estate when neglected or deserted by them ;

5. House bill No. 281, entitled

A bill to change the name of the First Presbyterian Ecclesiastical Society of Franklin, Lenawee county, Mich., to the First Congregational Church and Society of Franklin in said county, and to appoint seven trustees for the same ;

6. House bill No. 278, entitled

A bill to organize the township of Haring in the county of Wexford ;

7. House bill No. 211, entitled

A bill to authorize the Detroit & Prairie Mound Plank Road Company to collect the same tolls as are charged by the Detroit, Hamtramck & Warren Plank Road Association, and to provide for the discontinuance of part of its road when paved ;

8. House bill No. 322, entitled

A bill to amend section 43 of an act entitled "An act to revise the charter of the village of Hudson," approved February 27, 1867 ;

9. House bill No. 344, entitled

A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to the "manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22 ;

10. House bill No. 255, entitled

A bill relative to convicts in the State Prison ;

Also, the following :

11. House joint resolution No. 27, entitled

Joint resolution providing for the preparation of an index to the Senate and House bills now on file in the State library :

C. D. LUCE, *Acting Chairman*.

Report accepted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, }  
*Lansing, April 24, 1873.* }

*To the House of Representatives :*

I return herewith without my approval House bill No. 223, entitled

“An act to legalize the proceedings of the townships of Tawas and Grant, in Iosco county, in aiding in the construction of the Tawas City and Grant plank road.”

The bill itself shows nine distinct provisions of law, that were either violated or neglected in the proceedings had by the township officers in connection with the voting of township aid to the road.

The policy of legalizing the acts of a township board, who seem to have paid no attention whatever to the law in a matter so important as this, and when the statute is so clear and specific in its language and intent, is a bad one; and if persisted in will lead to a disregard of plain statute enactments that would consume half of the sessions of the Legislature in rectifying. When the action in regard to voting aid for the construction of the Tawas City and Grant plank road was taken, the townships of Tawas and Baldwin were one township, under the name of the township of Tawas; and as such they voted aid for the said road and performed all the acts which are sought to be legalized by the passage of this act. Since that time the territory has been divided and the township of Baldwin created; the new township of Baldwin embracing half the territory and nearly two-thirds of the taxable property. It was the old township of



Tawas that voted the aid, issued the bonds, and put them upon the market. If one portion of the old township is to be legally held for the payment of those bonds, the same rule should apply to the whole. And it is but fair to presume that those parties who invested their money in the purchase of those bonds did it because they believed the property of the whole township was to be holden for the payment of the same; but by the provisions of this bill one-half of the original township that voted the aid is to be exempt from the payment of any portion of those bonds, and this without the will or consent, expressed or implied, either of the remaining portion of the township of Tawas, which would thus be compelled to assume the whole debt, or the holders of the bonds. Manifestly this provision would have a tendency to impair the obligation of contracts.

If a part of the property of the township was assessed at one rate, and a part at another, there would be no such apportionment as is essential to taxation. But in this more is sought to be done. One portion is to be assessed for the whole amount, the other not at all, which cannot be sanctioned by law or equity.

JOHN J. BAGLEY.

Mr. Lockwood moved to reconsider the vote by which the House passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Lockwood,

The bill was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 330, entitled

A bill to establish the right to the care and custody of minor children in case of the separation of husband and wife, being the father and mother of said minor children ;

And to inform the House that the Senate has amended the same by striking out the words "wife being the," in line 2 ; also, by striking out the word "husband being the," in lines 3 and 4 ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Haire moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Rich,
Bartholomew,	Haywood,	Ripley,
Bottomley,	Hertzler,	Robinson,
Briggs,	Hewitt,	Robertson,
Brunson,	Hoar,	Rose,
Burns,	Howard,	Sessions,
Cady,	Hoyt,	Simpson,
Caplis,	Knapp,	Smith,
Carter,	Lamb,	Speed,
Chafey,	Lewis,	Striker,
Chamberlain,	Lockwood,	Van Aken,
Cook,	Luce,	B. Walker,
Curtis,	Markey,	J. Walker,
Drake,	E. R. Miller,	Walton,
Drew,	R. C. Miller,	Warren,
Eggleston,	Mitchell,	C. W. Watkins,
Fancher,	Morse,	Welch,
Ferguson,	Noyes,	Wheeler,
Fey,	Parsons,	Withington,
Garfield,	Perry,	Wixson,
Garvelink,	Pierce,	Zimmerman,
Green,	Priest,	Speaker,
Haire,	Remer,	

NAYS.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 317, entitled

A bill to incorporate the city of Bangor, in Van Buren county;

In the passage of which the Senate has not concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Simpson,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 312, entitled

A bill to amend chapter 92 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for building and leasing houses and other tenements;"

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit,

To which the Senate made sundry amendments;

Which amendments were non-concurred in by the House, and insisted in by the Senate, and the disagreement referred to a committee of conference, who reported recommending

That the first Senate amendment be amended by striking out the words “two miles thereof,” and inserting after the word “within,” these words: “all that part of the township of Springwells lying between the present city limits and Lover’s Lane (so-called), and between the Detroit, Monroe, and Toledo Railroad and the Detroit River,” and that the House concur in the other Senate amendments to the bill;

And the Senate amendments, as thus amended, concurred in by the House, and to inform the House that the Senate has concurred in said amendments to its amendments by a majority vote of all the Senators elect.

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 148, entitled

A bill to provide for determining and regulating the tolls,

and for the care, charge, and operating of Portage Lake and Lake Superior Ship Canal;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 315, entitled

A bill to amend an act entitled "An act to encourage the erection and support of water-power manufactories," approved March 21, 1865, the same being chapter 221 of the compiled laws of 1871 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 378, entitled

A bill relating to jail records and reports ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the

same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill ;

House bill No. 353, entitled

A bill establishing a State agency for the care of juvenile offenders,

And to inform the House that the Senate has amended the same by striking out all of section 2, from the word "time," in line 14, section 2, to and including "school," in line 16 ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Van Aken moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Bartholomew,	Mr. Hertzler,	Mr. Robertson,
Bottomley,	Hewitt,	Scott,
Brunson,	Hoar,	Sessions,
Burns,	Howard,	Shaw,
Cady,	Hoyt,	Simpson,
Carter,	Kellogg,	Smith,
Chafey,	Knapp,	Striker,
Olimie,	Lamb,	Thompson,

Mr. Curtis,	Mr. Lewis,	Mr. Van Aken,
Edwards,	Lockwood,	B. Walker,
Fancher,	Markey,	J. Walker,
Ferguson,	Morse,	Walton,
Fey,	Noyes,	Warren,
Garvelink,	O'Dell,	Welch,
Gordon,	Priest,	Welker,
Green,	Remer,	Wheeler,
Greusel,	Rich,	Withington,
Haire,	Ripley,	Wixon,
Haywood,	Robinson,	Zimmerman, 57

## NAYS.

Mr. Bonine,	Mr. Garfield,	Mr. Pierce,
Briggs,	E. R. Miller,	Rose,
Chamberlain,	R. C. Miller,	West,
Drew,	Parsons,	Speaker 12

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 280, entitled

A bill to bar the right of dower of insane, imbecile, or idiotic married women,

And to inform the House that the Senate has amended the same as follows :

1st. By inserting in line 2 of section 2, after the word "court," the words in chancery ;"

2d. By inserting in line 1 of section 3, after the word "court," the words "in chancery ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Walton moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Robinson,
Bartholomew,	Haire,	Robertson,
Bonine,	Haywood,	Rose,
Bottomley,	Hertzler,	Scott,
Briggs,	Hewitt,	Sessions,
Brunson,	Hoar,	Shaw,
Buell,	Howard,	Simpson,
Burns,	Hoyt,	Speed,
Cady,	Knapp,	Striker,
Caplis,	Lamb,	Thomas,
Carter,	Lewis,	Thompson,
Chafey,	Lockwood,	B. Walker,
Chamberlain,	Luce,	J. Walker,
Climie,	Markey,	Walton,
Cook,	E. R. Miller,	Warren,
Drake,	R. C. Miller,	C. W. Watkins,
Eggleston,	Mitchell,	E. C. Watkins,
Fancher,	Parsons,	Welch,
Ferguson,	Perry,	Welker,
Fey,	Pierce,	West,
Garfield,	Priest,	Wheeler,
Garvelink,	Remer,	Wixson,
Gordon,	Rich,	Speaker,
Green,	Ripley,	

71

## NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. E. C. Watkins, leave being granted, offered the following :

*Resolved*, That the Clerk of this House be, and he is hereby instructed to return to the Senate, Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies ;

Which was adopted.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 246, entitled



A bill to provide for the custody and safe-keeping of persons who are tried for murder and other high crimes, and are acquitted by reason of insanity;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill was some time since ordered reprinted by the House, as two of the sections were in manuscript.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Eggleston, leave being granted, moved to take from the table House bill No. 257, entitled

A bill to amend section 4 of an act entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases," being section 4253 in chapter 150 of the compiled laws of 1871;

Which motion prevailed.

On motion of Mr. Eggleston,

The bill was placed on the order of third reading.

Mr. E. R. Miller moved to take from the table the title of Senate bill No. 86, entitled

A bill to amend sections 4 and 5 of an act entitled "An act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance, and recovery of the insane," approved February 14, 1859, being sections 1914 and 1915 of chapter 52 of the compiled laws of 1871;

Which motion prevailed.

Mr. E. R. Miller moved that all rules limiting the time in which a motion to reconsider may be made, be suspended;

Which motion prevailed.

Mr. E. R. Miller moved to reconsider the vote by which the House concurred in the action of the committee of the whole in striking out all after the enacting clause of Senate bill No. 86, entitled

A bill to amend sections 4 and 5 of an act entitled "An act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance and recovery of the insane," approved February 14, 1859, being sections 1914 and 1915 of chapter 52 of the compiled laws of 1871 ;

Which motion prevailed.

The question being on concurring in the action of the committee of the whole relative to the bill,

The same was not concurred in.

On motion of Mr. Bonine,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robertson,
Bonine,	Green,	Rose,
Bottomley,	Greusel,	Scott,
Breitung,	Haire,	Sessions,
Brunson,	Haywood,	Shaw,
Burns,	Howard,	Simpson,
Cady,	Hoyt,	Smith,
Caplis,	Knapp,	Speed,
Carter,	Lamb,	Striker,
Chamberlain,	Lewis,	Thompson,
Climie,	Lockwood,	B. Walker,
Cook,	Markey,	J. Walker,
Curtis,	E. R. Miller,	Walton,
Drake,	R. C. Miller,	Warren,
Drew,	Mitchell,	Welch,
Edwards,	Morse,	West,
Eggleston,	Parsons,	Wheeler,
Fancher,	Pierce,	Withington,
Ferguson,	Priest,	Wixson,
Fey,	Remer,	Zimmerman,
Garfield,	Ripley,	Speaker,
Garvelink,	Robinson,	

## NAYS.

Mr. Bartholomew,	Mr. Hewitt,	Mr. Van Aken,	
Briggs,	Hoar,	O. W. Watkins,	
Chafey,	Luce,	Welker,	
Harris,	Noyes,		11

Title agreed to.

The Speaker also announced the following:

SENATE CHAMBER, {  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to re-return to the House the following bill;

House manuscript bill, entitled

A bill to revise the charter of the village of Decatur, being an act entitled "An act to incorporate the village of Decatur," approved March 16, 1861;

And to inform the House that the Senate has amended the same as follows:

1st. By inserting the word "treasurer," in line 3, of section 1, article 3;

2d. By inserting the word "the," before the word "absence," in line 2, section 1, article 6; also, by striking out in line 4, of the same section, the word "marshal," after the word "appoint;"

3d. By striking out the words "in a paper," after the word published, in line 23, section 5, article 6; also, by striking out the words "the village" in lines 37, and 39, and insert in each the word "Decatur;"

4th. By striking out the words "and *ex-officio* constable" from lines 1 and 2, section 1, article 9;

In the passage of which as thus amended the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAS. H. STONE,

*Secretary of the Senate.*

Mr. Simpson moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Bailey,	Greusel,	Robinson,
Bartholomew,	Haire,	Robertson,
Bottomley,	Haywood,	Rose,
Breitung,	Hertzler,	Simpson,
Brunson,	Hewitt,	Smith,
Burns,	Hoar,	Striker,
Cady,	Howard,	Thomas,
Caplis,	Hoyt,	Thompson,
Carter,	Knapp,	Van Scoy,
Chafey,	Lamb,	B. Walker,
Chamberlain,	Lewis,	J. Walker,
Climie,	Luce,	Walton,
Cook,	Markey,	Warren,
Dinturff,	E. R. Miller,	E. C. Watkins,
Drake,	R. C. Miller,	Welch,
Edwards,	Mitchell,	Welker,
Eggleston,	Morse,	West,
Ferguson,	Noyes,	Wheeler,
Fey,	Parsons,	Withington,
Garfield,	Pierce,	Wixson,
Garvelink,	Priest,	Zimmerman,
Gordon,	Remer,	Speaker, 69

## NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House that Senators Wheeler, Prutzman, and Mitchell have been appointed a committee on the part of the Senate to confer with the committee on the part of the House upon the disagreement between the two Houses relative to House bill No. 164, entitled

A bill to amend an act entitled "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and mechanic arts," approved March 18, 1863.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to amend section 63 of an act entitled "An act to incorporate the city of Charlotte, and to repeal section 72 of said act, being No. 250 of the session laws of 1871," approved March 29, 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 339, entitled

A bill to authorize the acceptance of trust making the State

trustee for insane persons, and to provide for the execution of such trusts,

And to inform the House that the Senate has amended the same by striking out in line 9, section 2, the words "three thousand," and inserting in lieu thereof the words "five hundred;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Brunson moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Ferguson,	Mr. Robinson,
Bailey,	Fey,	Robertson,
Bartholomew,	Garvelink,	Shaw,
Bottomley,	Green,	Smith,
Breitung,	Haire,	Speed,
Brunson,	Harris,	Thomas,
Burns,	Haywood,	Thompson,
Caplis,	Hertzler,	Van Scoy,
Carter,	Hewitt,	B. Walker,
Chafey,	Hoar,	Walton,
Climie,	Howard,	Warren,
Cook,	Lewis,	O. W. Watkins,
Drake,	E. R. Miller,	Welch,
Drew,	Mitchell,	Wheeler,
Edwards,	Morse,	Withington,
Eggleston,	Bemer,	Zimmerman,
Fancher,	Ripley,	Speaker, 51

NAYS.

Mr. Briggs,	Mr. Markey,	Mr. Van Aken,
Curtis,	R. C. Miller,	J. Walker,
Greusel,	Priest,	Welker,
Hoyt,	Sessions,	West,
Lamb,	Simpson,	Wixson,
Luce,		

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 21, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

House bill No. 241, entitled

A bill to amend section 1 of an act to prevent the adulteration of coal oil, being section 7731, chapter 250 of the compiled laws of 1871;

House bill No. 319, entitled

A bill to provide for keeping more complete accounts in the educational, charitable, and penal institutions of the State;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 22, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 343, entitled

A bill to amend "An act to revise the charter of the city of Lansing," approved February 3, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21 of title 3, section 7 of title 4, section 11 of title 5, and section 17 of title 6, of an act entitled 'An act to revise the charter of the city of Lansing,' approved February 3, 1869," approved March 22, 1871,

And to inform the House that the Senate has amended the same as follows:

1. By striking out the words "and section 7 of title 4," of line 2 of section 1;

2. By striking out section 7, title 4;

And further to inform the House that the Senate has amended the title by striking out the words "section 7 of title 4."

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Goodrich moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Bottomley,	Mr. Haire,	Mr. Scott,
Breitung,	Harris,	Sessions,
Brunson,	Howard,	Shaw,
Burns,	Hoyt,	Simpson,
Cady,	Lamb,	Smith,
Carter,	Lewis,	Striker,
Chafey,	Lockwood,	Thompson,
Chamberlain,	Markey,	Van Aken,
Climie,	E. R. Miller,	Van Scoy,
Cook,	R. C. Miller,	B. Walker,
Curtis,	Mitchell,	J. Walker,
Drake,	Morse,	Walton,
Drew,	Pierce,	Warren,
Edwards,	Priest,	West,
Eggleston,	Remer,	Wheeler,
Fancher,	Rich,	Withington,
Ferguson,	Ripley,	Wixson,
Fey,	Robinson,	Zimmerman,
Garvelink,	Robertson,	Speaker,
Green,		

58.

#### NAYS.

Mr. Garfield,

1



The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 24, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

WHEREAS, There is a bill now pending before the United States Congress, compelling the publishers of weekly newspapers to prepay postage on their publications in the counties where printed ; and

WHEREAS, Such a law would prove to be prejudicial to the interests of the rural press of the country, and an uncalled for tax upon knowledge ; therefore

*Resolved* (the Senate concurring), That the Legislature of Michigan requests its delegation in Congress to use their influence and to cast their votes against the adoption of so unjust and burdensome a resolution, upon the free circulation of the local journals of the nation in the communities where they are published and circulated.

*Resolved*, That his Excellency the Governor be required to transmit copies of the foregoing preamble and resolution to each of our Senators and Representatives in Congress ;

And to inform the House that the Senate has adopted the following substitute therefor :

WHEREAS, By the following proviso, viz: "That all laws and parts of laws permitting the transmission by mail of any free matter whatever, be and the same are hereby repealed, from and after June 30, 1873," attached to "An act making appropriations for the services of the postoffice department for the year ending June 30, 1873," approved March 3, 1873, the free exchange between newspapers and other publications, and the free circulation of all newspapers in the county where published, is prohibited ; and

WHEREAS, This action of the Congress of the United

States is a serious injury to the local press in all parts of the country, and an exceedingly unjust discrimination in favor of the weekly journals published in our large cities, mostly issued from the offices of the leading dailies; therefore,

*Resolved by the Senate* (the House of Representatives concurring), That our Senators and Representatives in Congress be and are hereby requested to use all honorable means to secure the repeal of any and all provisions of the existing laws which prohibit the free exchange between newspapers and other periodicals, and the free circulation of weekly papers in the county where they are published;

In the passage of which concurrent resolution, as amended by the adoption of this substitute, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Garvelink,

The House concurred in the adoption of the resolution as amended by the substitute.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to respectfully request the House to return to the Senate, Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies;

With information as to the action of the House on those amendments made to the bill by the House and non-concurred in by the Senate.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. E. C. Watkins,

The Clerk was directed to return the bill to the Senate in accordance with the request.

SENATE CHAMBER,  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 366, entitled

A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 7, 1834, and the acts amendatory thereto,

And to inform the House that the Senate has amended the same by inserting after the word "direct" in line 5 of section 58 the following: "except as to such fines as by the provisions of the constitution, and to be appropriated to the library fund ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. West moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Bartholomew,	Mr. Haywood,	Mr. Robertson,
Bottomley,	Hertzler,	Shaw,
Breitung,	Hewitt,	Simpson,
Briggs,	Howard,	Smith,
Brunson,	Hoyt,	Speed,
Burns,	Kellogg,	Striker,
Cady,	Knapp,	Thomas,
Caplia,	Lamb,	Thompson,
Carter,	Lewis,	Van Aken,
Chafey,	Lockwood,	Van Scoy,
Olimie,	Luce,	B. Walker,
Cook,	Markey,	J. Walker,
Curtis,	E. R. Miller,	Walton,

Mr. Drake,	Mr. R. C. Miller,	Mr. Warren,
Edwards,	Mitchell,	C. W. Watkins,
Eggleston,	Morse,	Welch,
Fey,	Parsons,	Welker,
Garfield,	Perry,	West,
Garvelink,	Pierce,	Wheeler,
Gordon,	Priest,	Withington,
Green,	Remer,	Wixson,
Greusel,	Rich,	Zimmerman,
Haire,	Robinson,	Speaker, 69

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill entitled

A bill to detach certain territory from the townships of Hamtramck and Springwells, and annex the same to the city of Detroit,

And to inform the House that the Senate has amended the title of the same by striking out the word "Springwells," and inserting "Grosse Point," in lieu thereof;

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Burns,

The House concurred in the amendment made by the Senate to the title.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lausing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution, entitled

Joint resolution relative to the distribution of the laws, journals, documents, and joint documents of the session of the Legislature for the year 1873 ;

And to inform the House that the Senate has amended the same by inserting after the word “houses,” in line 4, “and to the editor of each newspaper in the State ;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Van Aken moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Bartholomew,	Mr. Haywood,	Mr. Robertson,
Brunson,	Hertzler,	Scott,
Burns,	Hewitt,	Shaw,
Cady,	Heward,	Smith,
Carter,	Hoyt,	Speed,
Chafey,	Kellogg,	Striker,
Chamberlain,	Knapp,	Thomas,
Climie,	Lamb,	Thompson,
Cook,	Lewis,	Van Aken,
Curtis,	Lockwood,	Van Scoy,
Drake,	Markey,	B. Walker,
Drew,	E. R. Miller,	J. Walker,
Edwards,	R. C. Miller,	Walton,
Eggleston,	Morse,	Warren,
Garfield,	Parsons,	C. W. Watkins,

Mr. Garvelink, Gordon, Green, Greusel, Haire, Harris,	Mr. Pierce, Priest, Remer, Rich, Robinson,	Mr. Welch, Welker, Wixson, Zimmerman, Speaker.	61
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## NAYS.

Mr. Ripley,	Mr. West,	2
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On motion of Mr. Lamb,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to re-transmit the following bill :

Senate bill No. 257, entitled

A bill making appropriations for the Reform School for the years 1873 and 1874 ;

Which the House amended as follows :

1st. Insert in line 1, section 1, after the word "thirty," the word "two ;"

2d. Insert in line 3, section 1, after the word "thirty," the word "two ;"

3d. Strike out in line 8, section 1, the word "farm" before "houses," and insert the word "family ;"

4th. Strike out in line 1, section 3, the words "thirty-three thousand nine hundred and fifty dollars," and insert in lieu thereof the words "thirty-nine thousand seven hundred dollars ;"

5th. Strike out in line 3, section 3, the words "thirty-three thousand nine hundred and fifty dollars," and insert in lieu thereof the words "thirty-two thousand and two hundred dollars ;"

And to inform the House that the Senate has non-concurred in said amendments.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Chamberlain moved that the House recede from its amendments to the bill;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Bartholomew,	Mr. Haire,	Mr. Robinson,
Bottomley,	Harris,	Robertson,
Brunson,	Haywood,	Scott,
Burns,	Hertzler,	Shaw,
Cady,	Hewitt,	Simpson,
Caplis,	Howard,	Thomas,
Carter,	Knapp,	Thompson,
Chafey,	Lamb,	Van Scoy,
Chamberlain,	Lewis,	B. Walker,
Olimie,	Markey,	J. Walker,
Cook,	E. R. Miller,	Walton,
Curtis,	R. O. Miller,	Warren,
Drew,	Morse,	C. W. Watkins,
Edwards,	Parsons,	Welch,
Fey,	Perry,	Welker,
Garfield,	Pierce,	West,
Garvelink,	Priest,	Wheeler,
Gordon,	Remer,	Zimmerman,
Green,	Rich,	Speaker,
Greusel,		

59

NAYS.

Mr. Hoyt,	Mr. Smith,	Mr. Van Aken,
Ripley,	Striker,	Wixson,

6

Mr. Shaw, leave being granted, moved to take from the table House manuscript bill, entitled

A bill to provide for the printing and publication of the territorial laws of the territory of Michigan ;

Which motion prevailed.

On motion of Mr. Shaw,

The bill was amended by inserting in section 6, between lines 7 and 8, the words " one copy of each to the members of the Legislature."

On motion of Mr. Shaw,

The rules were suspended and the bill was placed on the order of third reading.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 374, entitled .

A bill for laying out, establishing, and constructing a State road in the county of Oscoda, and appropriating certain non-resident taxes to construct the same,

And to inform the House that the Senate has amended the same by striking out the word "four," in line 2 of section 3, and inserting in lieu thereof the word "two;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Lockwood moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Bartholomew,	Mr. Kellogg,	Mr. Shaw,
Bottomley,	Knapp,	Simpson,
Brunson,	Lamb,	Smith,
Burns,	Lewis,	Speed,
Cady,	Lockwood,	Striker,
Caplis,	Markey,	Thomas,
Carter,	E. R. Miller,	Van Aken,
Chafey,	R. C. Miller,	Van Scoy,
Chamberlain,	Morse,	B. Walker,
Cook,	Noyes,	Walton,
Edwards,	Parsons,	Warren,



Mr. Garvelink,	Mr Perry,	Mr. C. W. Watkins,
Gordon,	Priest,	Welch,
Green,	Remer,	Welker,
Haire,	Rich,	West,
Harris,	Ripley,	Wheeler,
Haywood,	Robinson,	Withington,
Hertzler,	Robertson,	Wixson,
Hewitt,	Rose,	Zimmerman,
Howard,	Scott,	Speaker, 60

## NAYS.

Mr. Greusel,	Mr. Pierce,	Mr. J. Walker,
O'Dell,		4

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Hoyt, leave being granted, moved that the Clerk of the House be directed to return to the Senate, House bill No. 42, entitled

A bill to amend an act entitled "An act to amend section 57 of chapter 90, of the revised statutes of 1846, and the acts amendatory thereof, approved January 29, 1858, relative to the examination of witnesses in cases in chancery," approved April 6, 1869, being section 5093 of the compiled laws of 1871,

For action by the conference committee on the same;

Which motion prevailed.

The Speaker also announced the following :

SENATE CHAMBER,  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 372, entitled

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to

aid in the construction of the same," being act No. 404 of the session laws of 1869, approved April 2, 1869,

2. House bill No. 373, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, and appropriating certain non-resident highway taxes therefor;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the two bills were ordered to take immediate effect.

The two bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 268, entitled

A bill to provide upon the sale of lands, whether by levy, mortgage, judgment, or decree, for the discharge of the same from the records of the register of deeds;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, April 24, 1878.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill entitled

A bill relative to licensed homestead lands, and to provide for taxing the same in certain cases ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, April 23, 1878.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

House bill No. 93, entitled

A bill to authorize railroad companies to convey their franchises and property, under certain circumstances ;

House bill No. 357, entitled

A bill to amend an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," the same being section 5748 of the compiled laws of 1871 :

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the

same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 377, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5th, 1857, as amended by the acts amendatory thereof;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill requiring settlers under the homestead laws of the United States to pay taxes after a residence of five years;

Which has passed the Senate by a majority vote of all the

Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title and referred to the committee on public lands.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 355, entitled

A bill to amend section 6, being section 6794, chapter 215, of the compiled laws of 1871, relative to certain liens upon real property;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

• House bill No. 218, entitled

A bill to amend section 11, of chapter 150 of the revised statutes of 1846, as amended by act 134 of the session laws of

1867, entitled "An act to amend sections 11 and 13 of chapter 150 of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws," approved March 27, 1867, said section being section 7443 of the compiled laws of 1871, relative to the fees of sheriffs;

House bill No. 180, entitled

A bill to prevent the destruction of fish in Fisk's and Reed's Lake in the township of Grand Rapids, in the county of Kent;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 302, entitled

A bill to provide for the construction of a State road in the county of Mecosta, to be called and known as the "Millbrook and Altona State road;"

2. House bill No. 359, entitled

A bill to amend section 39 of chapter 177 of the compiled laws of 1871, being compiler's section 5230, relative to the probate courts;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 23, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following:  
House bill No. 124, entitled

A bill for the incorporation of villages,

. And to inform the House that the Senate has amended the same, as follows:

1st. By striking out after the word "village" in line 3, of section 7, chapter 3, the following: "or to any school district, county, or other municipal corporation of the State;"

2d. By inserting in line 8, section 13, chapter 9, after the word "treasury," the following: "excepting such fines as by the constitution are appropriated for library purposes;"

3d. By striking out all of the thirteenth sub-division of section 1, chapter 10, after the word "eating-hours" in line 49 ;

4th. By striking out the word "buying," in line 79, of the twenty-fifth subdivision of section 1, chapter 10, and inserting "keeping" in lieu thereof;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoyt moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Bartholomew, Mr. Hertzler,  
Bonine, Hewitt,  
Brunson, Hoyt,

Mr. Rose,  
Scott,  
Sessions,

Mr. Cady,	Mr. Kellogg,	Mr. Shaw,	
Caplis,	Knapp,	Simpson,	
Chafey,	Lamb,	Smith,	
Chamberlain,	Lewis,	Striker,	
Climie,	Markey,	Thompson,	
Curtis,	E. R. Miller,	Van Aken,	
Drake,	R. C. Miller,	Van Scoy,	
Drew,	Mitchell,	B. Walker,	
Edwards,	Morse,	J. Walker,	
Eggleston,	Noyes,	Walton,	
Fancher,	O'Dell,	Warren,	
Fey,	Parsons,	Welker,	
Garfield,	Pierce,	West,	
Garvelink,	Priest,	Wheeler,	
Gordon,	Reiner,	Withington,	
Green,	Ripley,	Wixson,	
Greusel,	Robinson,	Zimmerman,	
Haire,	Robertson,	Speaker,	
Haywood,			64
	NAYS.		0

The bill was then referred to the committee on ongrossment and enrollment, for enrollment.

Mr. Shaw, leave being granted, offered the following:

*Resolved*, That the Clerk of this House be instructed to send a respectful message to the Governor requesting the return of House bill No. 289, entitled

A bill to provide for the taxation of persons, associations and corporations doing business in this State, in running sleeping and palace cars over or upon the several railroads in this State ;

Which was adopted.

On motion of Mr. J. Walker,

The House took up the order of

#### UNFINISHED BUSINESS,

Being the consideration of the following:

*Resolved* (the Senate concurring), That the president of the Agricultural College shall, on the first of February in each year, make his annual report to the President of the State Board of Agriculture of all their experiments in agriculture, horti-



culture, and fattening of stock; also in composting manures and their application to various soils, and such other experiments as will be for the interest of the people of this State;

Also the following:

Mr. J. Walker moved to amend the resolution by striking out the word "February" and inserting in lieu thereof the word "January;"

Which motion prevailed.

The resolution was then adopted.

*Resolved*, That the resolution prohibiting smoking in the Hall shall be void and of no effect after this date.

On the adoption of which the yeas and nays had been demanded, and the demand seconded.

On motion of Mr. Robertson,

The further consideration of the resolution was indefinitely postponed.

Mr. Greusel, leave being granted, offered the following:

*Resolved*, That the thanks of this House be and the same are hereby tendered to the reporters of the Detroit daily papers, for the able and impartial daily reports they have given of the proceedings during the entire session;

Which was unanimously adopted.

Mr. Markey, leave being granted, offered the following:

WHEREAS, This Legislature, during the last month, passed a resolution condemning "the action of the majority of the late Congress in voting to its members an increase of their pay, during the expiring hours of the session, at a time and in a manner to present any remonstrance from the people against their action," and applauding "the votes of all who opposed the measure;" and

WHEREAS, The President of the United States, by endorsing the bill increased his own salary to the amount of \$100,000 00; and

WHEREAS, During the ten days which the constitution gives the President in which to sign all bills, he had ample

opportunity of hearing from the people through the press ;  
and

WHEREAS, The press did, with remarkable unanimity, condemn the measure, therefore

*Resolved by the House of Representatives of the State of Michigan* (the Senate concurring), That we, the representatives of the people of the State of Michigan, believing that the Chief Executive of the United States should be governed by the plainly expressed will of the people, do hereby express our condemnation of the action of the President in signing the salary bill.

Laid over under the rules.

Mr. Hoyt, leave being granted, moved to take from the table, House bill No. 158, entitled

A bill to provide for the compulsory education of deaf and dumb, and blind children, within the State of Michigan ;

Which motion prevailed.

On motion of Mr. Hoyt,

The bill was placed on the order of third reading.

Mr. Simpson, leave being granted, offered the following :

*Resolved*, That the Speaker and Clerk of this House are hereby authorized to issue pay-certificates up to the time of final adjournment, to Messrs. Blackman, Collins, and Armstrong, all of whom are absent from this House on account of sickness ;

Which was adopted.

The House took up the order of

#### MESSAGES FROM THE SENATE.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 24, 1873, }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 95, entitled

A bill to amend sections 3, 11, 14, 15, 16, 18, 19, 20, 21, 22, 27, 28, 34, 35, 36, 37, 141 of title 8, chapter 21, of the compiled laws of 1871, being "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title and referred to the committee on ways and means.

#### THIRD READING OF BILLS.

The Speaker called Mr. Gordon to the chair.

Senate bill No. 191, entitled

A bill to amend section 1 of an act entitled "An act to confirm the record of letters of attorney in certain cases," approved April 17, 1871, being section 4256 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Bailey,	Mr. Goodrich,	Mr. Pierce,
Bottomley,	Gordon,	Priest,
Breitung,	Green,	Remer,
Brunson,	Greusel,	Rich,
Burns,	Haire,	Ripley,
Cady,	Harris,	Scott,
Caplis,	Haywood,	Sessions,
Carter,	Hertzler,	Shaw,
Chafey,	Hewitt,	Striker,
Chamberlain,	Hoyt,	Thompson,
Climie,	Knapp,	Van Scoy,
Cook,	Lamb,	B. Walker,
Curtis,	Lewis,	Warren,

Mr. Drake,	Mr. Lockwood,	Mr. Welch,
Fancher,	Markey,	West,
Ferguson,	Mitchell,	Wheeler,
Fey,	Morse,	Withington,
Garfield,	Parsons,	Wixson,
Garvelink,	Perry,	Zimmerman, 57

NAYS.

Mr. E. R. Miller,	Mr. Noyes,	Mr. Smith,	3 .
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Title agreed to.

House manuscript joint resolution, entitled

Joint resolution authorizing the Governor to employ counsel to assist in the prosecution of the alleged frauds upon the State Land office,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ferguson moved to amend the joint resolution by striking out the word "Governor," and inserting in lieu thereof the words "Attorney General ;"

Which motion did not prevail.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Bailey,	Mr. Haire,	Mr. Ripley,
Bartholomew,	Harris,	Robinson,
Bottomley,	Hertzler,	Robertson,
Breitung,	Hewitt,	Scott,
Brunson,	Howard,	Smith,
Cady,	Hoyt,	Striker,
Caplie,	Knapp,	Thompson,
Carter,	Lewis,	Van Scoy,
Chafey,	Lockwood,	B. Walker,
Chamberlain,	Markey,	J. Walker,
Climie,	E. R. Miller,	Walton,
Drew,	Mitchell,	Warren,
Eggleston,	Morse,	C. W. Watkins,
Fey,	Noyes,	Welch,
Garfield,	O'Dell,	Welker,
Garvelink,	Parsons,	West,
Goodrich,	Pierce,	Wheeler,
Gordon,	Priest,	Withington,

Mr. Green,  
Greusel,

Mr. Remer,  
Rich,

Mr. Wixson,  
Zimmerman, 60

NAYS.

Mr. Briggs,  
Curtis,

Mr. Ferguson,

Mr. Sessions,

4

Title agreed to.

The House took up the order of

#### MESSAGES FROM THE GOVERNOR.

The acting Speaker *pro tem.* announced the following :

EXECUTIVE OFFICE, }  
Lansing, April 24, 1873. }

*To the House of Representatives :*

In-compliance with the request of the House I return herewith House bill No. 289, entitled

A bill to provide for the taxation of persons, associations, and corporations doing business in this State, in running sleeping and palace cars over or upon the several railroads in this State.

JOHN J. BAGLEY.

Mr. Shaw moved to reconsider the vote by which the House agreed to the title ;

Which motion prevailed.

The question being on agreeing to the title,

Mr. Shaw moved to amend the title so as to read as follows :

"A bill to provide for the taxation of persons, associations, and corporations doing business in this State in running sleeping and palace cars over or upon the several railroads in this State, and party or parties owning, running, or being interested in any "special," or "fast," or "through," or "colored," or other freight line (not owned exclusively by railroad companies), or any car-loaning company doing business in this State, or running cars over any of the railroads in this State ;"

Which motion prevailed.

The title, as amended, was then agreed to.

The House resumed the order of

## THIRD READING OF BILLS.

Senate bill No. 246, entitled

A bill to provide for the custody and safe-keeping of persons who are tried for murder and other high crimes, and are acquitted under the plea of insanity,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Ripley,
Bottomley,	Hertzler,	Robinson,
Breitung,	Hoar,	Robertson,
Briggs,	Howard,	Rose,
Brunson,	Hoyt,	Shaw,
Cady,	Kellogg,	Simpson, .
Carter,	Lamb,	Smith,
Chamberlain,	Lewis,	Speed,
Climie,	Lockwood,	Striker,
Cook,	Luce,	Van Aken,
Curtis,	Markey,	Van Scoy,
Drew,	E. B. Miller,	B. Walker,
Eggleston,	R. C. Miller,	J. Walker,
Fancher,	Mitchell,	Warren,
Ferguson,	Morse,	C. W. Watkins,
Fey,	Noyes,	Welch,
Garfield,	O'Dell,	Welker,
Garvelink,	Parsons,	West,
Goodrich,	Perry,	Wheeler,
Gordon,	Pierce,	Withington,
Green,	Priest,	Zimmerman,
Greusel,	Remer,	Wixson,
Haire,	Rich, ,	

68

## NAYS.

0

Title agreed to.

On motion of Mr. Caplis,

The House took up the order of

## MOTIONS AND RESOLUTIONS.

Mr. E. R. Miller moved to take from the table Senate bill No. 100, entitled

A bill to prescribe the course of study in common schools ;

Which motion prevailed.

The question being on the passage of the bill,

Mr. E. R. Miller moved to amend the bill by adding the following at the end of section 1 :

*Provided*, That in all graded schools such other branches of study may be pursued as the school board may prescribe ;

Which motion prevailed.

Mr. Noyes moved that the further consideration of the bill be indefinitely postponed.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Haywood,	Mr. Scott,
Bailey,	Hertzler,	Smith,
Cady,	Kellogg,	Simpson,
Carter,	Lewis,	Striker,
Chafey,	Lockwood,	Thompson,
Drake,	Luce,	Van Aken,
Drew,	Markey,	Van Scoy,
Edwards,	R. C. Miller,	Walton,
Ferguson,	Mitchell,	Welch,
Fey,	Morse,	Welker,
Garfield,	Noyes,	Wheeler,
Goodrich,	Pierce,	Wixson,
Green,	Priest,	Zimmerman,
Greusel,		

40

#### NAYS.

Mr. Bartholomew,	Mr. Haire,	Mr. Robinson,
Bonine,	Hoar,	Rose,
Bottomley,	Hosner,	Shaw,
Breitung,	Howard,	Speed,
Brunson,	Hoyt,	B. Walker,
Buell,	Knapp,	J. Walker,
Burns,	Lamb,	Warren,
Caplis,	E. R. Miller,	C. W. Watkins,
Climie,	O'Dell,	E. C. Watkins,
Garvelink,	Parsons,	West,
Gordon,	Rich,	Withington,

33

Mr. Lockwood, leave being granted, offered the following :

*Resolved*, That the resolution prohibiting smoking in the Hall shall be void and of no effect.

On motion of Mr. Hoyt,

The resolution was laid on the table.

Mr. E. C. Watkins moved to take from the table the following resolution :

*Resolved*, That there be paid to William Stocking, Henry A. Chaney, and Joseph Greusel, jr., each one hundred dollars, as compensation for the preparation and publication of the official reports of this House ;

Which motion prevailed.

The question pending being on amending the resolution by adding the name of Don C. Henderson ;

The motion did not prevail.

Mr. Rich moved that the further consideration of the resolution be indefinitely postponed ;

Pending which,

Mr. C. W. Watkins moved to amend the resolution by inserting the name of E. B. Fairfield ;

Which motion prevailed.

Mr. Howard moved to amend the resolution by inserting the name of Stephen D. Bingham,

Pending which,

Mr. Curtis moved that the House take a recess until 2 o'clock this afternoon.

Which motion did not prevail.

The question being on the amendment,

The same was not agreed to.

Mr. Warren moved to amend the resolution by inserting the names of E. O. Rose, O. V. Hosner, Aaron Perry, and T. A. Ferguson.

Mr. Buell demanded the previous question.

The demand was not seconded.

The motion to amend did not then prevail.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and pending the taking of the vote thereon,

Mr. Noyes demanded the previous question.



The demand was seconded, and the main question ordered.

The resolution was then adopted, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Perry,
Bailey,	Green,	Pierce,
Bartholomew,	Greusel,	Remer,
Bonine,	Harris,	Rose,
Bottomley,	Haywood,	Scott,
Breitung,	Hertzler,	Shaw,
Buell,	Hoar,	Simpson,
Burns,	Hosner,	Speed,
Cady,	Howard,	Thompson,
Caplis,	Knapp,	Van Scoy,
Climie,	Lockwood,	C. W. Watkins,
Drew,	Markey,	E. C. Watkins,
Edwards,	Mitchell,	Welch,
Eggleston,	Noyes,	Wheeler,
Fey,	Parsons,	Withington, 45

## NAYS.

Mr. Briggs,	Mr. Hoyt,	Mr. Robertson,
Brunson,	Kellogg,	Sessions,
Chafey,	Lamb,	Smith,
Chamberlain,	Luce,	Striker,
Cook,	E. R. Miller,	Van Aken,
Curtis,	R. C. Miller,	B. Walker,
Drake,	Morse,	J. Walker,
Fancher,	O'Dell,	Walton,
Ferguson,	Priest,	Warren,
Garfield,	Rich,	Welker,
Garvelink,	Ripley,	West,
Haire,	Robinson,	Wixson,
Hewitt,		

37

Mr. Caplis moved to reconsider the vote by which the House adopted the resolution.

Mr. Caplis moved to lay the motion to reconsider on the table.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and pending the taking of the vote thereon,

On motion of Mr. Rich,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

## MOTIONS AND RESOLUTIONS.

The question being on laying on the table a motion to reconsider the vote by which the House adopted the following resolution:

*Resolved*, That there be paid to William Stocking, Henry A. Chaney, Joseph Greusel, Jr., and E. B. Fairfield, each one hundred dollars, as compensation for the preparation and publication of the official reports of this House;

The yeas and nays had been demanded, and the demand seconded.

The roll being called, the motion did not prevail by yeas and nays as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Noyes,
Bartholomew,	Greusel,	Parsons,
Breitung,	Harris,	Pierce,
Buell,	Haywood,	Remer,
Burns,	Hertzler,	Shaw,
Caplis,	Hoar,	Simpson,
Climie,	Howard,	Thompson,
Edwards,	Knapp,	E. C. Watkins,
Eggleston,	Lockwood,	Wheeler,
Fey,	Markey,	Withington,
Gordon,	Mitchell,	

32

## NAYS.

Mr. Bailey,	Mr. Goodrich,	Mr. Sessions,
Bonine,	Haire,	Smith,
Bottomley,	Hewitt,	Striker,
Briggs,	Hoyt,	Van Aken,
Brunson,	Kellogg,	Van Scoy,
Cady,	Lamb,	B. Walker,
Carter,	Luce,	J. Walker,
Chafey,	E. R. Miller,	Walton,
Chamberlain,	R. C. Miller,	Warren,

Mr. Curtis,	Mr. Morse,	Mr. C. W. Watkins,
Dinturff,	O'Dell,	Welch,
Drake,	Perry,	Welker,
Fancher,	Rich,	West,
Ferguson,	Ripley,	Wixson,
Garfield,	Robinson,	Zimmerman,
Garvelink,	Robertson,	Speaker 48

The question being on the motion to reconsider,

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Hewitt,	Mr. Smith,
Bonine,	Hoyt,	Striker,
Briggs,	Kellogg,	Thompson,
Brunson,	Lamb,	Van Aken,
Carter,	Luce,	B. Walker,
Chafey,	E. R. Miller,	J. Walker,
Chamberlain,	R. C. Miller,	Walton,
Curtis,	Mitchell,	Warren,
Dinturff,	Morse,	C. W. Watkins,
Drake,	O'Dell,	Welch,
Fancher,	Perry,	Welker,
Ferguson,	Rich,	West,
Garfield,	Ripley,	Wixson,
Garvelink,	Robinson,	Zimmerman,
Goodrich,	Robertson,	Speaker, 47
Haire,	Sessions,	

## NAYS.

Mr. Ackley,	Mr. Fey,	Mr. Noyes,
Bartholomew,	Gordon,	Parsons,
Bottomley,	Green,	Pierce,
Breitung,	Greusel,	Remer,
Buell,	Harris,	Rose,
Burns,	Haywood,	Shaw,
Cady,	Hertzler,	Simpson,
Caplis,	Hoar,	Speed,
Climie,	Howard,	Van Scoy,
Drew,	Knapp,	E. C. Watkins,
Edwards,	Lockwood,	Wheeler,
Eggleston,	Markey,	Withington, 36

The question being on the adoption of the resolution,

On motion of Mr. Rich,

The further consideration of the resolution was indefinitely postponed.

Mr. C. W. Watkins moved that the rules be suspended and that he be allowed to introduce a joint resolution ;

Which motion prevailed.

Mr. C. W. Watkins, leave being granted, introduced

Joint resolution for the relief of George Krouse.

The joint resolution was read a first and second time by its title, and

On motion of Mr. Bartholomew,

The rule requiring the second and third reading of bills to be on different days was suspended, and the joint resolution was put upon its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr Goodrich,	Mr. Ramer,
Bartholomew,	Gordon,	Robertson,
Bonine,	Green,	Rose,
Bottomley,	Haire,	Scott,
Breitung,	Harris,	Sessions,
Brunson,	Haywood,	Shaw,
Burns,	Hertzler,	Simpson,
Cady,	Hewitt,	Striker,
Caplis,	Hoar,	Thompson,
Carter,	Howard,	Van Scoy,
Chafey,	Kellogg,	B. Walker,
Chamberlain,	Knapp,	J. Walker,
Climie,	Lewis,	Warren,
Curtis,	Luce,	C. W. Watkins,
Drake,	Markey,	E. C. Watkins,
Drew,	E. R. Miller,	Welch,
Edwards,	R. C. Miller,	Welker,
Eggleston,	Morse,	West,
Fancher,	O'Dell,	Wheeler,
Ferguson,	Parsons,	Withington,
Fey,	Perry,	Wixson,
Garfield,	Pierce,	Zimmerman,
Garvelink,	Priest,	Speaker, 69

## NAYS.

Mr. Buell,  
Hoyt,  
Lamb,

Mr. Lockwood,  
Noyes,

Mr. Van Aken,  
Walton,

7

Title and preamble agreed to.

On motion of Mr. C. W. Watkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committee on public lands, leave being granted, reported as follows :

The committee on public lands, to whom was referred Senate manuscript bill entitled

A bill requiring settlers, under the homestead laws of the United States, to pay taxes after a residence of five years,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject. .

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sessions,

The rules were suspended, and the bill was placed on the order of third reading.

The committee on public lands, leave being granted, reported as follows :

The committee on public lands, to whom was referred Senate manuscript bill entitled

A bill relative to licensed homestead lands, and to provide for taxing the same in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, and recommend that the amendment be concurred in, and that the bill,

when so amended, do pass, and ask to be discharged from the further consideration of the subject.

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Sessions,

The bill was placed on the order of third reading.

Mr. Burns offered the following :

WHEREAS, It having been the custom of former sessions to give the Engrossing and Enrolling Clerk and his assistant extra compensation ; and

WHEREAS, The Engrossing and Enrolling Clerk of this House and his assistant have always held themselves in readiness to perform their duties and accommodate the members, therefore,

*Resolved*, That one dollar per day be given them, in addition to their regular per diem allowance ;

Which was adopted.

By the committee on ways and means :

The committee on ways and means, to whom was referred Senate bill No. 95, entitled

A bill to amend sections 3, 11, 14, 15, 16, 18, 19, 20, 21, 22, 27, 28, 34, 35, 36, 37, and 141 of title 8, chapter 21, of the compiled laws of 1871, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon, approved April 6, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

I. A. FANCHER, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,  
The bill was laid on the table.

Mr. Gordon offered the following:

WHEREAS, Colonel E. M. Fitch, Sergeant-at-Arms of this House, has discharged the duties of his office faithfully, and has been uniformly courteous and gentlemanly in his intercourse with the members thereof; and

WHEREAS, He has been particularly efficient in arresting and bringing to the bar of the House members who have absented themselves from the grave deliberations of this honorable body without permission; and

WHEREAS, He has performed extra services imposed upon him by this House, during the various recesses taken by the House, and at other times, which has prevented him in consequence thereof from enjoying himself during those recesses, as other members; therefore,

*Resolved*, That the thanks of this House are due, and are hereby tendered him for the same, and that two dollars per day be allowed and paid him in addition to his *per diem*, for his services as such officer, during the session.

Mr. Ferguson moved to amend the resolution by striking out the words "two dollars," and inserting "one dollar," in lieu thereof;

Which motion prevailed.

The question being on the adoption of the resolution,

Mr. Garfield demanded a division of the question;

The question being on the tender of a vote of thanks,

That clause of the resolution was adopted.

The question being on the payment of an extra compensation,

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and that clause of the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Breitung,  
Brunson,

Mr. Green,  
Greusel,  
Harris,

Mr. Noyes,  
Parsons,  
Perry,

Mr. Burns,	Mr. Haywood,	Mr. Pierce,
Caplis,	Hertzler, ✓	Remer, ✓
Climie,	Hoar,	Rose,
Dinturff,	Howard, ✓	Shaw,
Drew,	Kellogg,	Simpson,
Edwards,	Knapp,	Speed,
Eggleston,	Lewis,	Thompson,
Ferguson, ✓	Lockwood,	C. W. Watkins,
Fey,	Markey,	E. C. Watkins,
Garvelink,	R. C. Miller,	Wheeler, ✓
Gordon,	Mitchell,	Withington, 42

## NAYS.

Mr. Bailey, ✓	Mr. Hewitt, ✓	Mr. Sessions,
Bonine,	Hoyt, ✓	Smith,
Bottomley,	Lamb,	Striker,
Briggs, ✓	Luce,	Van Aken, ✓
Buell,	E. R. Miller,	Van Scoy,
Cady,	Morse,	B. Walker,
Carter,	O'Dell,	J. Walker,
Chafey,	Priest,	Walton,
Chamberlain,	Rich, ✓	Warren,
Drake,	Ripley,	Welch,
Fancher,	Robinson,	Welker,
Garfield, ✓	Robertson,	Wixson,
Goodrich,	Scott,	Zimmerman,
Haire,		40

The committee on State affairs leave being granted, reported as follows:

The committee on State affairs, to whom was referred Senate joint resolution No. 18, entitled

Joint resolution to authorize the Governor to issue a patent for the southwest quarter of the northeast quarter of section 21, in township 9 north, of range 14 west, to Edward L. Weeks, assignee of salt-spring land certificate No. 103,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. G. BAILEY, *Acting Chairman.*

Report accepted and committee discharged.



On motion of Mr. Bailey,

The rules were suspended, and the joint resolution was placed on the order of third reading.

Mr. Hoyt moved to reconsider the vote by which the House adopted the following resolution :

WHEREAS, It having been the custom of former sessions to give the Engrossing and Enrolling Clerk and his assistant extra compensation ; and

WHEREAS, The Engrossing and Enrolling Clerk of this House, and his assistant have always held themselves in readiness to perform their duties and accommodate the members ; therefore,

*Resolved*, That one dollar per day be given them in addition to their regular *per diem* allowance.

Mr. Ferguson moved to lay the motion to reconsider on the table.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Perry,
Bartholomew,	Gordon,	Pierce,
Brunson,	Green,	Rose,
Burns,	Harris,	Shaw,
Cady,	Haywood,	Simpson,
Caplis,	Hertzler,	Speed,
Climie,	Lewis,	Thompson,
Drew,	Lockwood,	Van Scoy,
Edwards,	Markey,	E. C. Watkins,
Eggleston,	R. C. Miller,	Wheeler,
Ferguson,	Morse,	Withington, 33

#### NAYS.

Mr. Bailey,	Mr. Howard,	Mr. Robertson,
Bottomley,	Hoyt,	Sessions,
Briggs,	Kellogg,	Smith,
Buell,	Lamb,	Striker,
Carter,	Luce,	Van Aken,
Chafey,	E. R. Miller,	B. Walker,

Mr. Chamberlain,	Mr. Mitchell,	Mr. J. Walker,
Curtis,	O'Dell,	Walton,
Dinturff,	Parsons,	Warren,
Garfield,	Priest,	Welch,
Goodrich,	Rich,	Welker,
Greusel,	Ripley,	Wixson,
Hewitt,	Robinson,	Zimmerman, 39

The question being on the motion to reconsider,

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and the motion did not prevail,  
by yeas and nays, as follows :

#### YEAS.

Mr. Briggs,	Mr. Hewitt,	Mr. Striker,
Brunson,	Hoyt,	Van Aken,
Carter,	Lamb,	Van Scoy,
Chafey,	Luce,	B. Walker,
Chamberlain,	E. R. Miller,	L. Walker,
Curtis,	O'Dell,	Walton,
Dinturff,	Rich,	Warren,
Drake,	Ripley,	Welch,
Garfield,	Robinson,	Welker,
Garvelink,	Robertson,	West,
Goodrich,	Sessions,	Wixson,
Greusel,	Smith,	Zimmerman, 36

#### NAYS.

Mr. Ackley,	Mr. Green,	Mr. Noyes,
Bartholomew,	Haire,	Parsons,
Bottomley,	Harris,	Perry,
Breitung,	Haywood,	Pierce,
Burns,	Hertzler,	Priest,
Cady,	Hoar,	Remer,
Caplis,	Howard,	Rose,
Climie,	Knapp,	Shaw,
Drew,	Lewis,	Simpson,
Edwards,	Lockwood,	Speed,
Eggleston,	Markey,	Thompson,
Ferguson,	R. C. Miller,	C. W. Watkins,
Fey,	Mitchell,	E. C. Watkins,
Gordon,	Morse,	Wheeler, 42

The House resumed the order of

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, April 23, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 269, entitled

A bill to amend chapter 67 of the revised statutes of 1846, being chapter 153 of the compiled laws of 1871, by adding a new section thereto, to stand as section 14 ;

In the passage of which the Senate has not concurred.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

On motion of Mr. Shaw,

The bill was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 265, entitled

A bill to establish a State House of Correction, and to make appropriation therefor ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committees on State Prison and Reform School jointly.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to respectfully request the House to return to the Senate House bill No. 241, entitled

A bill to amend section 1 of an act to prevent the adulteration of coal oil, being section 7731, chapter 250 of the compiled laws of 1871.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Bartholomew,

The Clerk was instructed to re-transmit the bill to the Senate.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 367, entitled

A bill to amend section 7435, chapter 139 of the compiled laws of 1871, relative to the salary of judges of probate ;

In the passage of which the Senate has not concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Cady,

The bill was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House joint resolution No. 23, entitled

Joint resolution "for the relief of St. Clair county, and to authorize the Board of State Auditors to settle with the bail of Henry Johr, late treasurer of St. Clair county ;

And to inform the House that the Senate has amended the same by striking out in first resolution all after the word "provided," and inserting in lieu thereof the following: "That before such adjustment shall go into effect, or said sureties be discharged, the county of St. Clair shall give to the State security satisfactory to said Board, to pay any and all claims which said county would be liable to pay to the State had this resolution not been passed, or such adjustment made, and which shall remain unpaid by such sureties ; "

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

• JAMES H. STONE,

*Secretary of the Senate.*

Mr. Remer moved that the House concur in the amendments made to the joint resolution by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Breitung,	Mr. Haire,	Mr. Sessions,
Briggs,	Hewitt,	Shaw,
Brunson,	Howard,	Speed,
Cady,	Hoyt,	Striker,
Caplis,	Kellogg,	Van Scoy,
Carter,	Lewis,	B. Walker,
Chamberlain,	Luce,	J. Walker,
Climie,	Markey,	Walton,
Dinturff,	R. C. Miller,	Warren,
Drake,	Noyes,	C. W. Watkins,
Edwards,	Parsons,	Welch,
Eggleston,	Perry,	Welker,
Fancher,	Pierce,	West,

Mr. Fey,	Mr. Priest,	Mr. Wheeler,	
Garfield,	Remer,	Withington,	
Garvelink,	Ripley,	Wixson,	
Goodrich,	Robinson,	Zimmerman,	
Green,	Robertson,	Speaker,	
Greusel,	Rose,		56

## NAYS.

Mr. Haywood,	Mr. Lockwood,	2
On motion of Mr. Remer,		

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to re-return to the House the following bill :

House bill No. 42, entitled

A bill to amend section 57 of chapter 176, being section 5093, of the compiled laws of 1871, relative to cases in chancery ;

To which the Senate made an amendment that was non-concurred in by the House, and concerning which disagreement between the two Houses a conference committee was appointed ;

And to inform the House that in accordance with the recommendation of said conference committee, the Senate has receded from its amendment.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR,—I am instructed to respectfully inform the House, relative to Senate joint resolution No. 17, entitled

Joint resolution to provide for a commission for the revision of the Constitution of the State of Michigan,

The return of which to the House was requested in a message this day received,

That said joint resolution had been transmitted to the Governor and was approved by him before the message of the House was received.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 250, entitled

A bill to provide for the deposit and safe-keeping of the public moneys belonging to the several counties of the State, and prescribe the duties of the treasurers and boards of supervisors and auditors in relation thereto,

And to inform the House that the Senate has amended the the same as follows :

1. By striking out in lines 8 and 9 of section 1 the words "boards of supervisors at their annual October meeting, and the; "

2. By striking out in line 22 of section 1 the words "of supervisors, or as the case may be; " also, in line 26, by striking out the words "supervisors or; "

3. By striking out in line 5 of section 2 the words "supervisor;"

4. By striking out in line 8 of section 3 the words "not in any case exceeding one thousand dollars, except that in the county of Wayne a sum;"

5. By striking out in line 1 of section 4 the words "of the board of supervisors in October of each year and;"

6. By striking out in line 6 of section 5 the words "supervisors or;"

7. By striking out in section 6 all after the words "eighteen hundred and seventy-four."

The Senate has amended the title of the bill so as to read as follows:

A bill to provide for the safe-keeping of the public moneys belonging to the county of Wayne, and prescribe the duties of the treasurer and the board of county auditors in relation thereto;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Greusel moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed by yeas and nays, as follows:

YEAS.

Mr. Bartholomew,	Mr. Haywood,	Mr. Robertson,
Breitung,	Hewitt,	Rose,
Briggs,	Howard,	Simpson,
Brunson,	Hoyt,	Smith,
Burns,	Kellogg,	Speed,
Cady,	Knapp,	Striker,
Caplis,	Lamb,	Thompson,
Carter,	Lewis,	Van Scoy,
Chafey,	Lockwood,	B. Walker,
Climie,	E. R. Miller,	J. Walker,
Drew,	R. C. Miller,	Walton,
Edwards,	Mitchell,	Warren,



Mr. Eggleston,	Mr. Noyes,	Mr. Welker,	
Fancher,	Parsons,	West,	
Ferguson,	Perry,	Wheeler,	
Fey,	Pierce,	Withington,	
Garfield,	Priest,	Wixson,	
Garvelink,	Remer,	Zimmerman,	
Green,	Rich,	Speaker.	
Greusel,	Ripley,		59
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. Scott asked and obtained leave of absence for the remainder of the session.

#### THIRD READING OF BILLS.

Senate bill No. 38, entitled

A bill to amend section 7450 of the compiled laws of 1871, relative to fees of jurors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Bailey,	Mr. Green,	Mr. Remer,	
Bonine,	Greusel,	Rich,	
Breitung,	Haire,	Robinson,	
Briggs,	Haywood,	Robertson,	
Brunson,	Hertzler,	Rose,	
Burns,	Hewitt,	Shaw,	
Cady,	Hoar,	Simpson,	
Carter,	Kellogg,	Speed,	
Chafey,	Knapp,	Striker,	
Chamberlain,	Lewis,	Thompson,	
Climie,	Lockwood,	B. Walker,	
Dinturff,	Markey,	J. Walker,	
Drake,	E. R. Miller,	Warren,	
Drew,	R. C. Miller,	Welker,	
Eggleston,	Mitchell,	West,	
Fancher,	Noyes,	Wheeler,	
Fey,	O'Dell,	Withington,	
Garfield,	Parsons,	Wixson,	
Garvelink,	Perry,	Zimmerman,	
Goodrich,	Pierce,		59

## NAYS.

Mr. Bottomley,  
Hoyt,  
Luce,

Mr. Ripley,  
Smith,

Mr. Walton,  
Speaker,

7

Title agreed to.

On motion of Mr. Briggs,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the bills on the order of third reading were put upon their passage.

Senate bill No. 259, entitled

A bill to amend sections 10 and 12 of an act, entitled "An act to establish a House of Correction for juvenile offenders," approved February 10, 1855, as amended by act No. 130 of the laws of 1867, entitled "An act to amend act No. 250 of the session laws of 1861, and to add a new section thereto relative to juvenile offenders," approved March 27, 1867, being section 8135 of chapter 268 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,  
Bartholomew,  
Bonine,  
Bottomly,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Eggleston,  
Fancher,  
Fey,  
Garfield,

Mr. Garvelink,  
Goodrich,  
Green,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Howard,  
Kellogg,  
Knapp,  
Lewis,  
Luce,  
Markey,  
R. C. Miller,  
Mitchell,  
O'Dell,  
Parsons,  
Pierce,  
Priest,

Mr. Rich,  
Robinson,  
Robertson,  
Sessions,  
Shaw,  
Smith,  
Speed,  
Striker,  
Thompson,  
B. Walker,  
J. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

63

## NAYS.

Mr. Hoyt,

1

Title agreed to.

On motion of Mr. West,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committees on State Prison and Reform School, leave being granted, reported as follows :

The committees on State Prison and Reform School, to whom was referred Senate bill No. 265, entitled

A bill to establish a State House of Correction, and making appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS,

*Chairman of Committee on State Prison.*

WM. CHAMBERLAIN,

*Chairman Committee on Reform School.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The rules were suspended, and the bill was placed on the order of third reading.

House manuscript bill, entitled

A bill to provide for the collection and printing of the laws of the territory of Michigan,

Was read a third time and passed a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bartholomew,  
Bottomley,  
Breitung,  
Briggs,  
Branson,

Mr. Gordon,  
Green,  
Haire,  
Harris,  
Haywood,

Mr. Robertson,  
Rose,  
Sessions,  
Shaw,  
Simpson,

Mr. Burns,	Mr. Hertzler,	Mr. Speed,
Cady,	Hewitt,	Striker,
Caplis,	Howard,	Thompson,
Carter,	Hoyt,	Van Scoy,
Chafey,	Knapp,	B. Walker,
Chamberlain,	Lewis,	Walton,
Climie,	Markey,	Warren,
Dinturff,	Mitchell,	C. W. Watkins,
Drew,	Morse,	Welch,
Eggleston,	Parsons,	West,
Fancher,	Perry,	Wheeler,
Ferguson,	Pierce,	Withington,
Fey,	Priest,	Wixson,
Garvelink,	Remer,	Zimmerman,
Goodrich,	Rich,	

59

## NAYS.

Mr. Bonine,	Mr. Luce,	Mr. Ripley,
Curtis,	E. R. Miller,	Robinson,
Garfield,	R. O. Miller,	Smith,
Greusel,	Noyes,	J. Walker,
Kellogg,	O'Dell,	Welker,

15

Title agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 158, entitled

A bill to provide for the compulsory education of deaf and dumb, and blind children, within the State of Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Speed moved that the further consideration of the bill be indefinitely postponed;

Which motion prevailed.

House bill No. 257, entitled

A bill to amend section 4 of an act entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases," being section 4253, in chapter 150 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,  
Bartholomew,  
Bonine,  
Bottomley,  
Brunson,  
Burns,  
Cady,  
Carter,  
Chamberlain,  
Climie,  
Curtis,  
Eggleston,  
Fancher,  
Fey,  
Garfield,  
Garvelink,  
Goodrich,  
Gordon,  
Green,

Mr. Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Knapp,  
Markey,  
R. C. Miller,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Priest,  
Remer,  
Ripley,

Mr. Robertson,  
Rose,  
Sessions,  
Smith,  
Speed,  
Striker,  
Thompson,  
Van Scoy,  
B. Walker,  
Walton,  
C. W. Watkins,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

56

## NAYS.

Mr. Greusel,  
Lamb,

Mr. Pierce,

Mr. Rich,

4

Title agreed to.

On motion of Mr. Eggleston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill requiring settlers under the homestead laws of the United States to pay taxes after a residence of five years,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bartholomew,  
Bonine,  
Bottomley,  
Briggs,  
Burns,  
Cady,  
Caplis,  
Chafey,  
Chamberlain,

Mr. Gordon,  
Green,  
Greusel,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Howard,  
Hoyt,

Mr. Priest,  
Remer,  
Robinson,  
Robertson,  
Rose,  
Sessions,  
Striker,  
Thompson,  
Van Scoy,

Mr. Climie,	Mr. Knapp,	Mr. B. Walker,
Curtis,	Lewis,	J. Walker,
Drew,	Luce,	Walton,
Edwards,	Markey,	Warren,
Eggleston,	R. C. Miller,	West,
Fancher,	Mitchell,	Wheeler,
Ferguson,	Morse,	Withington,
Garfield,	Noyes,	Wixson,
Garvelink,	Perry,	Zimmerman,
Goodrich,	Pierce,	Speaker, 57

## NAYS.

Mr. Bailey,	Mr. Kellogg,	Mr. Simpson,
Brunson,	O'Dell,	Smith,
Carter,	Ripley,	Welch, 10
Haire,		

Title agreed to.

On motion of Mr. Goodrich,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill relative to licensed homestead lands, and to provide for taxing the same in certain cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas, and nays, as follows:

## YEAS.

Mr. Bartholomew,	Mr. Haire,	Mr. Rich,
Bonine,	Harris,	Ripley,
Bottomley,	Haywood,	Robinson,
Briggs,	Hertzler,	Robertson,
Branson,	Hewitt,	Sessions,
Burns,	Howard,	Simpson,
Cady,	Hoyt,	Smith,
Carter,	Kellogg,	Speed,
Chafey,	Knapp,	Striker,
Chamberlain,	Lewis,	Thompson,
Climie,	Luce,	Van Scoy,
Curtis,	Markey,	B. Walker,
Drake,	R. C. Miller,	J. Walker,
Drew,	Mitchell,	Warren,
Edwards,	Morse,	C. W. Watkins,
Fancher,	Noyes,	Welker,
Fey,	O'Dell,	West,

Mr. Garfield, Garvelink, Goodrich, Green, Greusel,	Mr. Parsons, Pierce, Priest, Remer,	Mr. Wheeler, Withington, Wixson, Speaker.	64
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## NAYS.

Mr. Ferguson,	Mr. Rose,	Mr. Walton,	3
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Title agreed to.

On motion of Mr. Sessions,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 18, entitled

Joint resolution to authorize the Governor to issue a patent for the southwest quarter of the northeast quarter of section 21, in township 9 north, of range 14 west, to Edward L. Weeks, assignee of salt spring land certificate No. 103,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## NAYS.

Mr. Bartholomew, Bonine, Breitung, Briggs, Brunson, Burns, Cady, Carter, Chafey, Chamberlain, Climie, Curtis, Drake, Fancher, Ferguson, Fey, Garfield,	Mr. Garvelink, Goodrich, Gordon, Green, Haire, Harris, Haywood, Hertzler, Hewitt, Knapp, Lewis, Mitchell, Morse, Noyes, O'Dell, Parsons, Perry,	Mr. Priest, Remer, Rose, Shaw, Simpson, Smith, Speed, Striker, Thompson, Van Scoy, B. Walker, J. Walker, Warren, Welch, Wheeler, Wixson, Speaker,	51
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## NAYS.

Mr. Bottomley, Dinturff, Edwards,	Mr. Hoyt, Kellogg, Lamb,	Mr. Rich, Robinson, Robertson,
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Mr. Greusel,	Mr. Markey,	Mr. Walton,
Hosner,	R. C. Miller,	West,
Howard,	Pierce,	Zimmerman, 18

Title and preamble agreed to.

House bill No. 265, entitled

A bill fixing the price of gas made by gas-light companies, and determining the quality thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Bartholomew,	Mr. Green,	Mr. Ripley,
Bonine,	Haire,	Robinson,
Bottomley,	Harris,	Robertson,
Breitung,	Haywood,	Rose,
Briggs,	Hertzler,	Shaw,
Brunson,	Hewitt,	Smith,
Burns,	Howard,	Striker,
Cady,	Kellogg,	Thompson,
Carter,	Knapp,	Van Scoy,
Chafey,	Lamb,	B. Walker,
Chamberlain,	Lewis,	J. Walker,
Climie,	Lockwood,	Walton,
Dinturff,	E. R. Miller,	Warren,
Eggleston,	R. C. Miller,	Welch,
Fancher,	Morse,	Welker,
Fey,	Noyes,	Wheeler,
Garfield,	O'Dell,	Withington,
Garvelink,	Parsons,	Zimmerman,
Goodrich,	Priest,	Speaker,
Gordon,		

58

#### NAYS.

Mr. Greusel,	Mr. Perry,	Mr. Rich,
Hoyt,	Pierce,	Wixson,
Markey,		

7

Title agreed to.

The House took up the order of

#### MESSAGES FROM THE SENATE.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 24, 1878. }

*To the Speaker of the House of Representatives.*

SIR—I am instructed to respectfully request the House to return to the Senate



House bill No. 367, entitled

A bill to amend section 7435, chapter 129, of the compiled laws of 1871, relative to the salary of judges of probate.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

On motion of Mr. Walton,

The Clerk was directed to return the bill to the Senate.

Mr. Greusel, leave being granted, offered the following:

WHEREAS, We are desirous of acknowledging the industry, faithfulness, and efficiency of Mr. Daniel L. Crossman, Clerk, and Messrs. Samuel F. Cook, and Henry W. Walker, Assistant Clerks of the House of Representatives, and consider it but just that they should be compensated for the many hours of extra service done by them in the pursuance of their official duties whereby they have, as a matter of fact, performed two legal days' work within the period of one; therefore,

*Resolved*, That there be paid to the Clerk and Assistant Clerks of the House of Representatives, as additional compensation, the sum of two dollars each per day.

Mr. J. Walker moved to amend the resolution by inserting the words "and keeper of the cloak-room;"

Which motion did not prevail.

The resolution was then adopted.

The committee on ways and means, leave being granted, reported as follows:

The committee on ways and means, in pursuance of the following resolution, viz:

*Resolved*, That the committee on ways and means, report to this House at as early a day as practicable, the amount of all appropriations from the State means already made by the present Legislature, together with the amount of all appropriations now pending for the support of the State Institutions, or otherwise, with an estimate of the amount of State tax that will be required to be levied to meet the same,

Beg leave to report that they have caused an examination to be made, and find that the total amount of unexpended appropriations of 1872, and prior years down to April 21, 1873, is the sum of \$574,222 98. Of this amount \$62,995 is subject to draft under amended military act, and \$27,976 05 is military tax collected in 1873.

The appropriations under acts passed by the present Legislature of 1873, amounts to the sum of \$618,898 00.

By the terms of the acts, the appropriations made are required to be assessed in the State tax, in the following manner :  
 In the year 1873..... \$306,898 00  
 In the year 1874..... 246,102 00

A more detailed statement is herewith submitted, marked statement "A" and "B," respectively.

Very respectfully,

JAMES BURNS,

*Acting Chairman Committee of Ways and Means.*

LANSING, April 24, 1873.

#### STATEMENT "A."

##### *Unpaid Appropriations of 1872, and prior years, April 21, 1873.*

1. Asylum for Insane.....	\$80,000 00	
2. Com'n on P. P. & R. Institutions.....	8,000 00	
3. Geological Survey, Act 64, '61.....	2,919 09	
4. " " Sec. 9, Act 179, '71.....	7,000 00	
5. " " J. R., No. 8, '72.....	20,000 00	
6. History of Campaigns.....	2,500 00	
7. Immigration Agency.....	2,010 00	
8. Repairing State Prison.....	57,800 00	
9. Normal School.....	501 08	
10. Social Statistics.....		\$1,210 00
11. Soldiers' Aid Fund (from military fund).....		2,500 00
12. New State Capitol.....	259,780 89	
13. Insurance State Library.....		229 16
14. State Public School.....	29,450 92	
15. State Reform School.....		2 23
16. University Aid.....	11,350 00	
17. " —New Hall.....	27,000 00	
Total unexpended.....		\$488,351 48
Balance of Military Fund subject to draft under amended military act.....	\$62,995 45	
Military tax collected in 1873.....	27,976 05	
		90,971 50
Subject to draft—old appropriations.....		\$574,222 98

## STATEMENT "B."

*Appropriations under Acts of 1873.*

NUMBER.	SENATE BILLS.	When Payable.		To be apportioned in State Tax.	
		1873.	1874.	1873.	1874.
10	University.....	\$33,000 00	-----	\$33,000 00	-----
11	University.....	-----	\$31,500 00	31,500 00	\$31,500 00
12	Normal School.....	17,500 00	17,500 00	-----	-----
122	State Library.....	2,500 00	2,500 00	-----	-----
51	Agricultural College.....	37,898 00	13,000 00	37,898 00	23,602 00
102	Asylum for Insane.....	60,000 00	60,000 00	60,000 00	60,000 00
118	State Prison.....	100,000 00	-----	50,000 00	50,000 00
HOUSE BILLS.					
62	Library.....	5,000 00	-----	-----	-----
79	Inst'n for D., D., and the B....	54,500 00	37,500 00	46,000 00	46,000 00
154	Soldiers' Cemetery.....	6,000 00	-----	-----	-----
182	Charitable, Penal, and P., etc., Commission.....	5,000 00	5,000 00	-----	-----
81	Board of Health.....	4,000 00	4,000 00	-----	-----
99	Fish Commission.....	7,500 00	7,500 00	-----	-----
155	State Public School (land).....	5,000 00	-----	5,000 00	-----
	New Asylum for Insane.....	40,000 00	60,000 00	100,000 00	100,000 00
	Reform School.....	34,000 00	30,000 00	30,000 00	30,000 00
	Corner stone of State Capitol..	10,000 00	-----	-----	-----
	Commission for revision of St. Constitution—estimated.....	15,000 00	-----	-----	-----
	Total under Acts of 1873....	\$450,898 00	\$363,500 00	\$406,898 00	\$346,102 00

Report accepted and committee discharged.

Mr. Rose offered the following :

WHEREAS, The laws of this State touching the assessment and taxation of property have been changed and amended in various particulars during the present session of the Legislature; and,

WHEREAS, It is desirable that the supervisors of the several townships in this State should be made acquainted with the law as amended, as soon as possible, therefore

*Resolved* (the Senate concurring), That the Auditor General be, and he is hereby instructed to forthwith compile and publish in pamphlet form all the acts touching the assessment and taxation of property which have been or may be passed at the present session of the Legislature and given immediate effect, and transmit to each county clerk a sufficient number of such pamphlet copies to furnish one to each supervisor in his county, with as little delay as possible, together with instructions to the county clerk to so distribute them.

On motion of Mr. Rose,

The rules were suspended and the concurrent resolution was put on its immediate passage.

The resolution was then not adopted.

On motion of Mr. Noyes,

The House took a recess until 7½ o'clock this evening.

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EVENING SESSION.

7½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 72, entitled

A bill for the incorporation of cities;

And to inform the House that the Senate has amended the same as follows:

1. By striking out all of section 2 of chapter 3, and inserting the following in place thereof:

"Sec. 2. Cities having a population of three thousand inhabitants shall be divided into two wards, and an additional ward for every additional two thousand inhabitants up to ten thousand; and from ten thousand inhabitants one ward for each additional four thousand inhabitants. But any city having at the time of its incorporation under this act, a greater number of wards in proportion to its population than above mentioned, shall not be required to diminish the number of its existing wards;"

2. By striking out in lines 5 and 6, of section 40, of chapter 7, the words "not exceed two dollars," and inserting in place thereof, the words "receive the same compensation as is by law allowed supervisors of townships;"

3. By inserting in line 8, of section 13, of chapter 10, after the word "treasury," the words "except such fines as by the constitution are appropriated for library purposes;"

4. By striking out in the fifteenth subdivision of section 1, of chapter 11, all after the words "eating houses;"

5. By striking out in the twenty-seventh subdivision of section 1, of chapter 11, the word "buying," and inserting in place thereof the "keeping;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Walton moved that the House concur in the amendments made to the bill by the Senate:

Pending which,

Mr. Noyes demanded the previous question.

The demand was seconded, and the main question ordered.

The motion then prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Bartholomew,  
Breitung,  
Briggs,

Mr. Harris,  
Haywood,  
Hewitt,  
Hoar,

Mr. Rich  
Robinson,  
Sessions,  
Shaw,

Mr. Burns,	Mr. Howard,	Mr. Simpson,
Cady,	Hoyt,	Smith,
Caplis,	Knapp,	Speed,
Chafey,	Lewis,	Striker,
Climie,	Markey,	Thompson,
Curtis,	E. R. Miller,	J. Walker,
Dinturff,	R. C. Miller,	Walton,
Edwards,	Mitchell,	Warren,
Fancher,	Morse,	Welch,
Fey,	Noyes,	Welker,
Garfield,	O'Dell,	West,
Garvelink,	Parsons,	Wheeler,
Goodrich,	Perry,	Withington,
Gordon,	Pierce,	Wixson,
Green,	Priest,	Zimmerman,
Greusel,	Remer,	Speaker,
Haire,		

61

## NAYS.

Mr. Lockwood, 1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 24, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House manuscript joint resolution, entitled

Joint resolution for the relief of George Krouse.

In the passage of which the Senate has concurred by a two-thirds vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 367, entitled

A bill to amend section 7435, chapter 139, of the compiled laws of 1871, relative to the salary of judges of probate;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Hoyt moved to take from the table Senate bill No. 95, entitled

A bill to amend sections 15, 16, and 25 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, A. D. 1869;

Which motion prevailed.

On motion of Mr. Hoyt,

The bill was put on its immediate passage,

The bill was then read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Walton moved to amend the bill by inserting in line 3, section 20, after the word "clerk," the words "or at such other place as the township board may designate in said township;"

Which was agreed to.

Mr. Rich moved to amend the bill by striking out in line 14, the word "three," and inserting "two" in lieu thereof;

Which was agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Robinson,
Bailey,	Haywood,	Shaw,
Bottomley,	Hoar,	Speed,
Briggs,	Howard,	Striker,
Brunson,	Hoyt,	Van Aken,
Caplis,	Knapp,	Walton,
Chamberlain,	Morse,	Warren,
Fancher,	Noyes,	Welker,
Ferguson,	Remer,	West,
Fey,	Rich,	Withington,
Gordon,	Ripley,	Speaker, 33

## NAYS.

Mr. Bartholomew,	Mr. Greusel,	Mr. Perry,
Bonine,	Haire,	Pierce,
Cady,	Hewitt,	Priest,
Carter,	Kellogg,	Sessions,
Climie,	Lamb,	Simpson,
Curtis,	Lewis,	Smith,
Dinturff,	Lockwood,	Thompson,
Drew,	Luce,	Van Scoy,
Edwards,	Markey,	J. Walker,
Eggleston,	E. R. Miller,	C. W. Watkins,
Garfield,	R. C. Miller,	E. C. Watkins,
Garvelink,	Mitchell,	Wheeler,
Goodrich,	O'Dell,	Wixson,
Green,	Parsons,	Zimmerman, 42

Mr. C. W. Watkins moved to take from the table

Senate bill No. 179, entitled

A bill to amend section 15 of act No. 175 of the laws of 1851, entitled "An act to provide for holding general and special elections," approved June 27, 1851, being section 46 of the compiled laws of 1871 ;

Which motion did not prevail.

The Speaker, leave being granted, announced the following :

SENATE CHAMBER, }  
Lansing, April 24, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :



House bill No. 63, entitled  
 A bill to provide for licensing the keeping of dogs;  
 In the passage of which the Senate has concurred by a  
 majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and  
 enrollment, for enrollment.

Mr. Climie offered the following:

*Resolved*, That there be paid to Joseph Greusel, Jr., William  
 Stocking, Henry A. Chaney and E. B. Fairfield, official report-  
 ers of the House, each seventy-five dollars as compensation for  
 the preparation and publication of their reports during the  
 session.

Mr. Hoyt demanded the yeas and nays,

The demand was seconded, and the resolution was adopted,  
 by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Perry,
Bartholomew,	Harris,	Pierce,
Bottomley,	Haywood,	Remer,
Breitung,	Hoar,	Shaw,
Bwell,	Howard,	Simpson,
Burns,	Knapp,	Speed,
Caplis,	Lewis,	Thompson,
Climie,	Lockwood,	Van Scoy,
Drew,	Markey,	Walton,
Edwards,	E. R. Miller,	O. W. Watkins,
Eggleston,	Mitchell,	E. O. Watkins,
Fey,	Noyes,	Wheeler,
Gordon,	Parsons,	Withington,
Green,		

40

#### NAYS.

Mr. Bailey,	Mr. Garvelink,	Mr. Robinson,
Bonine,	Goedrich,	Robertson,
Briggs,	Hewitt,	Sessions,
Brunson,	Hoyt,	Smith,
Carter,	Lamb,	Striker,
Chafey,	Luce,	Van Aken,

Mr. Chamberlain,	Mr. R. C. Miller,	Mr. J. Walker,
Curtis,	Morse,	Warren,
Dinturff,	O'Dell,	Welker,
Drake,	Priest,	West,
Fancher,	Rich,	Wixson,
Ferguson,	Ripley,	Speaker,
Garfield,		

37

Mr. Rich offered the following :

*Resolved* (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives, be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature, and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for such services the sum of five hundred dollars ; and that the compiler of the Legislative Manual shall receive for his services as such compiler, the sum of two hundred and fifty dollars ;

On motion of Mr. Rich,

The rules were suspended, and the resolution was adopted.

The Speaker announced the following :

*Lansing April 24, 1873.*

HON. CHAS. M. CROSWELL, *Speaker* :

I respectfully beg leave to decline the compensation voted to me this evening by the House of Representatives.

Very respectfully

HENRY A. CHANEY,

*Detroit Tribune.*

The communication was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 204, entitled

A bill limiting the right of the Auditor General to cancel

the taxes on non-resident lands returned as delinquent for the non-payment of taxes in certain cases;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committees on judiciary and ways and means jointly.

Mr. Eggleston offered the following :

WHEREAS, Henry A. Norton, Assistant Sergeant-at-Arms of this House, has been a faithful and efficient officer; therefore,

*Resolved*, That one dollar per day be allowed and paid him in addition to his *per diem* for his services during the session of this House.

Mr. Van Aken demanded the yeas and nays.

The demand was seconded, and the resolution was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Parsons,
Bailey,	Harris,	Remer,
Bartholomew,	Haywood,	Shaw,
Breitung,	Hertzler,	Speed,
Caplis,	Hoar,	Thompson,
Olimie,	Howard,	E. C. Watkins,
Edwards,	Lewis,	Welch,
Eggleston,	Lockwood,	Wheeler,
Ferguson,	Mitchell,	Withington,
Fey,	Noyes,	Wixson,

30

NAYS.

Mr. Bottomley,	Mr. Goodrich,	Mr. Priest,
Briggs,	Greusel,	Rich,
Brunson,	Hewitt,	Ripley,
Buell,	Hoyt,	Robertson,
Burns,	Kellogg,	Sessions,
Carter,	Lamb,	Simpson,
Chamberlain,	Luce,	Smith,

Mr. Curtis,	Mr. Markey,	Mr. Striker,	
Dinturff,	R. C. Miller,	Van Aken,	
Drake,	Morse,	J. Walker,	
Drew,	O'Dell,	Warren,	
Fancher,	Perry,	Welker,	
Gartfield,	Pierce,	Zimmerman.	
Garvelink,			40

Pending the announcement of the vote,

Mr. Hoyt asked to be excused from voting;

Which motion did not prevail.

Mr. Hoyt then voted as recorded above.

Mr. Lewis offered the following:

*Resolved*, That the messenger boys of this House, be and are hereby given fifty cents each per day, extra.

Mr. Bottomley moved to lay the resolution on the table;

Which motion did not prevail.

Mr. Van Scoy offered the following substitute for the resolution:

*Resolved*, That the fireman and assistant fireman, the Assistant Sergeant-at-Arms, and the messenger boys, be each paid one dollar per day as additional compensation for services rendered during the present session.

On motion of Mr. Noyes,

The substitute was laid on the table.

The Speaker announced the following:

*To the Speaker of the House of Representatives:*

SIR—We respectfully decline the compensation tendered us by the resolution just adopted.

Very truly yours,

WILLIAM STOCKING,

*Detroit Post.*

JOSEPH GREUSEL, JR.,

*Detroit Free Press.*

The communication was laid on the table.

Mr. Ackley offered the following:

*Resolved*, That one dollar per day in addition to their *per diem* allowance be paid to W. D. Burnham and B. D. Thomp-

son, fireman and assistant fireman of this House, for their services as night-watchmen ;

Which was not adopted.

Mr. Perry moved to reconsider the vote by which this House granted compensation to the reporters thereof.

Mr. Noyes moved to lay the motion to reconsider on the table.

Mr. Bartholomew moved that the House adjourn ;

Which motion did not prevail.

The question being on laying the motion to reconsider on the table,

Mr. Bonine demanded the yeas and nays.

The demand was seconded and the motion did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Pierce,
Breitung,	Haywood,	Remer,
Burns,	Hertzler,	Shaw,
Caplis,	Hoar,	Simpson,
Climie,	Knapp,	Speed,
Edwards,	Lewis,	Van Scoy,
Eggleston,	Lockwood,	C. W. Watkins,
Fey,	Markey,	E. C. Watkins,
Gordon,	E. R. Miller,	Wheeler,
Green,	Mitchell,	Withington,
Greusel,	Noyes,	32

## NAYS.

Mr. Bailey,	Mr. Gilmore,	Mr. Ripley,
Bartholomew,	Goodrich,	Robinson,
Bottomley,	Haire,	Robertson,
Briggs,	Hewitt,	Sessions,
Brunson,	Hosner,	Smith,
Buell,	Howard,	Striker,
Carter,	Hoyt,	Van Aken,
Chafey,	Kellogg,	J. Walker,
Chamberlain,	Lamb,	Walton,
Curtis,	Luce,	Warren,
Dinturff,	R. C. Miller,	Welch,
Drake,	Morse,	Welker,
Drew,	O'Dell,	West,

Mr. Fancher,  
Ferguson,  
Garfield,  
Garvelink,

Mr. Perry,  
Priest,  
Rich,

Mr. Wixson,  
Zimmerman,  
Speaker.

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The question being on reconsidering the vote by which the compensation was granted,

The motion prevailed.

The question being on granting compensation to the reporters,

Mr. Ferguson moved that the question be indefinitely postponed.

Which motion prevailed.

Mr. Shaw moved to take from the table Senate bill No. 233, entitled

A bill to authorize George H. Abrams to construct a dam and maintain head-gates at the outlet of Wall Lake, in the township of Hope, in the county of Barry, and to protect the race ;

Which motion did not prevail.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

By the committees on ways and means and judiciary :

The committees on ways and means and judiciary, to whom was referred Senate bill No. 204, entitled

A bill limiting the right of the Auditor General to cancel the taxes on non-resident lands, returned for the non-payment of taxes, in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. A. FANCHER, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fancher,

The rule requiring the second and third reading of bills to

be on different days was suspended, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Priest,
Bailey,	Harris,	Remer,
Bottomley,	Haywood,	Rich,
Briggs,	Hertzler,	Ripley,
Brunson,	Hewitt,	Robinson,
Buell,	Hoar,	Robertson,
Burns,	Hosner,	Rose,
Caplis,	Howard,	Shaw,
Carter,	Hoyt,	Simpson,
Chamberlain,	Kellogg,	Smith,
Climie,	Knapp,	Striker,
Curtis,	Lamb,	Thompson,
Dinturff,	Lewis,	Van Aken,
Drew,	Lockwood,	Van Scoy,
Fancher,	Markey,	J. Walker,
Ferguson,	E. R. Miller,	Warren,
Fey,	R. C. Miller,	E. C. Watkins,
Garfield,	Mitchell,	Welch,
Garvelink,	Morse,	Welker,
Goodrich,	Noyes,	Wheeler,
Gordon,	O'Dell,	Withington,
Green,	Perry,	Zimmerman,
Greusel,	Pierce,	

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## NAYS.

Mr. Bartholomew,	Mr. Eggleston,	Mr. Walton,	3
Title agreed to.			

The Speaker, leave being granted, announced the following :

EXECUTIVE OFFICE, }  
*Lansing, April 24, 1873.* }

*To the House of Representatives :*

I have this day approved and deposited with the Secretary of State, the following :

1. An act to provide wives with property and maintenance from their husband's estate, when neglected or deserted by them;
2. An act to amend section 1 of an act entitled "An act to aid

in the construction of that part of the Cass river and Bay City State road, established under act No. 345 of the laws of 1865, between the forks of Cass River and Unionville in Tuscola county, and making an appropriation of swamp land therefor," and being act No. 311 of the session laws of 1871;

3. An act relative to convicts in the State Prison;

4. An act to amend sections 2, 4, 5, and 6, of an act entitled "An act to provide for laying out and constructing a State road from the northern terminus of the Ovid and St. Charles State road northerly, to intersect the St. Louis and Saginaw plank road, and appropriating certain non-resident highway taxes for the construction of the same," approved March 18, 1871, being act No. 354 of the session laws for the year 1871;

5. An act to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being "An act relative to the manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22;

6. Joint resolution providing for the preparation of an index to the Senate and House bills now on file in the State Library;

7. An act to provide for laying out and constructing a State road in Sanilac county, to be known as the Elmer State road.

JOHN J. BAGLEY.

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 24, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 353, entitled

A bill to amend sections 50 and 51, being compiler's sections 6252 and 6253, chapter 195, compiled laws of 1871, relative to the action of ejectment;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the



same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 28, entitled

Joint resolution to authorize the commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section No. 16, in township No. 8 south, of range No. 5 east, to George W. Blivin, assignee of primary school land certificate No. 5961.

And to inform the House that the Senate has amended the joint resolution by inserting after the word “authorized” in line 2 of the resolution, the words “upon proper proof of the above facts;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Verry respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Walton moved that the House concur in the amendment made to the joint resolution by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Bottomley,  
Breitung,  
Briggs,

Mr. Gordon,  
Green,  
Greusel,  
Haire,

Mr. Parsons,  
Pierce,  
Priest,  
Remer,

Mr. Brunson,	Mr. Haywood,	Mr. Robinson,
Caplis,	Hertzler,	Robertson,
Carter,	Hewitt,	Rose,
Chafey,	Hoar,	Shaw,
Chamberlain,	Howard,	Simpson,
Curtis,	Hoyt,	Smith,
Dinturff,	Kellogg,	Striker,
Drake,	Knapp,	J. Walker,
Drew,	Lamb,	Walton,
Eggleston,	Lewis,	Warren,
Fancher,	Markey,	C. W. Watkins,
Ferguson,	E. R. Miller,	Welch,
Fey,	R. C. Miller,	Welker,
Garfield,	Mitchell,	Wheeler,
Garvelink,	Morse,	Zimmerman,
Gilmore,	Noyes,	Speaker,
Goodrich,	O'Dell,	
	NAYS.	62

Mr. Bartholomew, 1

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 24, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolutions:

1. House joint resolution No. 29, entitled

Joint resolution instructing the Commissioner of the State Land Office to make a settlement with and grant a certificate to Moses Kingsley;

2. House joint resolution No. 24, entitled

Joint resolution authorizing the payment of compensation to the heirs or heirs-at-law of Darius Clark, for services performed by him as agent of the State of Michigan, in the city of New York, during the late rebellion;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to re-return to the House the following bill:

House bill No. 289, entitled

A bill to provide for the taxation of persons, associations, or corporations doing business in this State in running sleeping and palace cars over or upon the several railroads of this State;

The title to which the House amended so as to read as follows :

“A bill to provide for the taxation of persons, associations, and corporations doing business in this State in running sleeping and palace cars over or upon the several railroads of this State, and party or parties owning, running, or being interested in any “special,” or “fast,” or “through,” or “colored,” or other freight line, (not owned exclusively by railroad companies), or any car-loaning company doing business in this State, or running cars over any of the railroads in this State,”

And to inform the House that the Senate has concurred in said amendment.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to inform the House that the Senate

have appointed Senators Wheeler, Neasmith, and Wells as a committee to confer with the committee appointed by the House, on the disagreements between the two houses relative to Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The message was laid on the table.

Mr. Chafey asked and obtained leave of absence for the remainder of the session.

Mr. Rich offered the following:

*Resolved*, That \$100 be donated to John Harmon, Speaker of the Third House, out of any moneys in the State Treasury not otherwise appropriated.

Pending which,

On motion of Mr. Hoar,

The House adjourned.

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*Lansing, Friday, April 25, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Brown.

Roll called: quorum present.

Absent without leave, Mr. Caplis.

Mr. Welker, leave being granted, offered the following:

*Resolved*, That the thanks of this House are hereby expressed to the Clergy of this city for their faithful attendance at the hour of prayer, hoping that they will be prospered and blessed in the great mission in which they are engaged;

Which was unanimously adopted.

The Speaker announced the following communication:

ST. JOHNS, April 24th, 1873.

*To the Speaker of the House of Representatives :*

SIR—I am instructed to transmit to the House of Representatives the following resolution adopted by the "St. John's Woman Suffrage Association," at a meeting held on the 22d inst. :

*Resolved*, That the thanks of this Association be tendered those members of our State Legislature who favored the passage of the bill providing for submitting to the electors the question of giving the ballot to women.

Yours respectfully,

WM. BRUNSON,

*Corresponding Secretary.*

The communication was laid on the table.

The committee on engrossment and enrollment reported as follows :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills and joint resolutions :

1. House bill No. 84, entitled

A bill to amend section 12 of chapter 58 of the revised statutes of 1846, being section 3593, in chapter 136 of the compiled laws, relative to primary schools ;

2. House manuscript bill, entitled

A bill to amend section 63 of an act entitled "An act to incorporate the city of Charlotte, and to repeal section 72 of said act, being No. 250 of the session laws of 1871," approved March 29, 1871 ;

3. House bill No. 312, entitled

A bill to amend chapter 92 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for building and leasing houses and other tenements ;"

4. House bill No. 268, entitled

A bill to provide upon the sale of lands, whether by levy, mortgage, judgment, or decree, for the discharge of the same from the records of the register of deeds ;

5. House bill No. 319, entitled

A bill to provide for keeping more complete accounts in the educational, charitable, and penal institutions of the State;

6. House bill No. 241, entitled

A bill to amend section 1 of an act to prevent the adulteration of coal oil, being section 7731, chapter 250 of the compiled laws of 1871;

7. House bill No. 330, entitled

A bill to establish the right to the care and custody of minor children in case of the separation of husband and wife, being the father and mother of said minor children;

8. House bill No. 359, entitled

A bill to amend section 39 of chapter 177, compiled laws of 1871, being compiler's section 5230, relative to probate courts;

9. House bill No. 180, entitled

A bill to prevent the destruction of fish in Reed's Lake and Fisk's Lake in the township of Grand Rapids, in the county of Kent;

10. House bill No. 148, entitled

A bill to provide for determining and regulating the tolls, and for the care, charge, and operating of Portage Lake and Lake Superior Ship Canal;

11. House joint resolution No. 26, entitled

Joint resolution relative to the distribution of the laws, journals, documents, and joint documents of the session of the Legislature for the year 1873.

C. D. LUCE, *Acting Chairman.*

Report accepted.

The committee on supplies and expenditures reported as follows:

The committee on supplies and expenditures would respectfully submit the following report:

The amount of stationery drawn by the several committees and officers respectively of the House of Representatives, also sundry repairs and improvements made within said House and committee rooms; the accounts for which are duly certified

to in proper manner, and of which several amounts your committee recommend the payment:

Ways and Means.....	\$31 53
State Affairs.....	25 96
Judiciary.....	79 36
Harbors .....	19 80
Elections .....	10 29
Federal Relations.....	7 72
Private Corporations.....	52 63
Municipal Corporations.....	51 92
Internal Improvements.....	9 98
Public Lands.....	13 87
Printing .....	17 25
Agriculture .....	11 18
Towns and Counties.....	14 36
Education.....	20 36
Roads and Bridges.....	21 54
Agricultural College.....	8 56
Asylum for Insane .....	21 40
Asylum for Deaf, Dumb, and Blind.....	27 14
Reform School.....	22 63
Geological Survey.....	13 35
Military Affairs .....	23 58
State Prison.....	22 60
University and Normal School.....	24 78
Mines and Minerals.....	15 18
Manufactures.....	10 63
Lumber and Salt interests.....	28 91
Religious and Benevolent Societies .....	10 20
Insurance .....	24 54
Local Taxation .....	14 83
Immigration .....	7 50
Fisheries .....	17 43
Rules and Joint Rules .....	4 83
Engrossment and Enrollment.....	59 68

Supplies and Expenditures .....	\$376 87
State Library .....	19 44
Drainage .....	16 83
Railroads .....	33 34
Public Health .....	20 00
State Public School .....	17 83
Horticulture .....	18 71
Special, to investigate charges against Judge Giddings .....	14 00
Special, to investigate State University .....	2 60
Special, to investigate charges against Pt. Huron & Grand Trunk R. R. ....	8 25
Clerk House of Representatives .....	147 88
Total .....	<u>\$1,421 27</u>

Repairs and improvements in House and committee rooms .....	\$705 24
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S. KELLOGG, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bartholomew,

The report was adopted.

The committee on lumber and salt interests reported as follows:

The committee on lumber and salt interests, to whom was referred

A bill for the artificial propagation and protection of dogs,

Respectfully report that they have had the same under consideration, and have given it the careful attention which, it seemed to them, a matter of such vast importance required. The subject of dogs has heretofore been, by former Legislatures, treated with much indifference, and, in fact, we may say, totally neglected. That some legislating to protect this very valuable and, we may say, almost indispensable animal, no one in this enlightened day will for a moment question.

We will, therefore, request, and most earnestly urge, that



such laws be enacted for the propagation and protection of all and every one of said species against the ravages and inroads that have been continually and incessantly, and, we may say, vindictively, waged against those canine innocents from time immemorial *by that other dog*, sometimes known and designated by the name of man.

GEO. LEWIS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

The committee on towns and counties reported as follows:

The committee on towns and counties to whom was referred

A bill to detach the townships of Pierson, Maple Valley, Reynolds, and Windsor from the county of Montcalm, and attach the same to the county of Kent,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment and without recommendation, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Briggs,

The bill was laid on the table.

Mr. Hoyt, leave being granted, moved to take from the table House bill No. 327, entitled

A bill to provide for special appeals from decrees in chancery ;

Which motion prevailed.

The question being on concurring in the amendment made to the bill by the Senate in striking out section 4.

Mr. Hoyt moved that the House do concur ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Bailey,

Mr. Greusel,  
Harris,

Mr. Ripley,  
Robinson,

Mr. Bartholomew,	Mr. Haywood,	Mr. Robertson,
Bottomley,	Hewitt,	Rose,
Breitung,	Hoyt,	Sessions,
Brunson,	Kellogg,	Shaw,
Burns,	Knapp	Simpson,
Cady,	Lamb,	Speed,
Carter,	Lewis,	Striker,
Chafey,	Lockwood,	Thompson,
Chamberlain,	Markey,	Van Scoy,
Climie,	E. R. Miller,	A. Walker
Dinturff,	R. C. Miller,	B. Walker,
Drew,	Morse,	J. Walker,
Edwards,	O'Dell,	Walton,
Fancher,	Parsons,	Warren,
Ferguson,	Perry,	E. C. Watkins,
Fey,	Pierce,	Welker,
Garfield,	Priest,	Wheeler,
Garvelink,	Remer,	Wixson,
Goodrich,	Rich,	Zimmerman,
Grant,		
	NAYS.	64 0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

On motion of Mr. E. C. Watkins,

The House took up the order of

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 236, entitled

A bill for the limitation of actions relating to real estate in certain cases by persons absent from the United States;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved* (the House concurring), That Benjamin B. Baker be paid the sum of one dollar per day, for extra services as Postmaster of the Legislature ;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The question being on concurring in the adoption of the resolution,

Mr. R. C. Miller demanded the yeas and nays.

The demand was seconded, and the resolution was not adopted, by yeas and nays, as follows :

#### YEAS.

Mr. Bartholomew,	Mr. Green,	Mr. Remer,
Breitung,	Harris,	Rose,
Cady,	Haywood,	Thompson,
Climie,	Hertzler,	A. Walker,
Drew,	Lockwood,	Wheeler,
Ferguson,	Parsons,	Withington,
Grant,		

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#### NAYS.

Mr. Ackley,	Mr. Haire,	Mr. Robinson,
Bottomley,	Hewitt,	Robertson,
Brunson,	Howard,	Sessions,
Burns,	Hoyt,	Shaw,
Caplis,	Kellogg,	Simpson,
Carter,	Knapp,	Smith,
Chafey,	Lamb,	Speed,
Chamberlain,	Lewis,	Striker,
Dinturff,	Markey,	Van Aken,

Mr. Drake,	Mr. R. C. Miller,	Mr. Van Scoy,
Fancher,	Morse,	B. Walker,
Fey,	O'Dell,	J. Walker,
Garfield,	Perry,	Walton,
Garvelink,	Pierce,	Welker,
Gilmore,	Rich,	Wixson,
Goodrich,	Ripley,	Zimmerman,
Grensel,		

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The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 25, 1873, }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to re-transmit the following bill :

Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

To which the House made sundry amendments, and in which amendments the Senate refused to concur, and on which disagreement a committee of conference was appointed, and to inform the House that the Senate has concurred in the recommendations of the committee of conference, which recommendations are as follows :

1st. That the Senate concur in the fourteenth amendment made by the House, which is as follows :

14th. Add to section 9, article 2, the following: "*Provided*, That in the Upper Peninsula five cents per mile may be charged and collected on all railroads: *And provided further*, That the provisions of this act shall not apply to the Paw Paw railroad ;"

2d. That the House recede from its twenty-second amendment, striking out of section 13, article 2, and that said section be amended by striking out in line 3, after the word "State," the words "higher rate," and inserting in place thereof the words "greater sum ;" also by inserting after the word "railroad," in line 5, the following: "*Provided*, That nothing in this section shall be so construed as to prevent

special rates from being made for transporting freight from points where railroads come in competition with water transportation ;”

3d. That the House recede from its thirty-fifth amendment, and that the section be amended by striking out in lines 3 and 4 the words, “and cattle guards with or without excavations,” and insert the words, “or other protections;” also by striking out all after the word “railway” in line 7 to and including the word “railway” in line 10, and inserting in place thereof the words, “with fences and cattle guards at all highway and street crossings sufficient to prevent cattle or other animals from getting on such railroad ;”

4th. That the House recede from its thirty-sixth amendments.

I am also directed to inform the House that the Senate has amended the title of the bill by adding thereto the following words: “And to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State.”

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The conference committee on the part of the House reported as follows:

The majority of the committee appointed on the part of the House to confer with a like committee on the part of the Senate, relative to a disagreement on the part of the Senate to House amendments to Senate bill No. 193, entitled

A bill to revise the laws providing for the incorporation of railroad companies,

Which amendments were as follows:

14th. Insert at the end of section 9, article 2, the following: *Provided*, That in the Upper Peninsula five cents per mile may be charged and collected on all railroads: *And provided further*, That the provisions of this section shall not apply to the Paw Paw railroad ;

22d. Strike out section 13, article 2 ;

35th. Strike out, in line 3, section 15, article 4, after the word "law," all words to and including the word "railway," in tenth line, and insert in lieu thereof the following words: "With fences and cattle-guards at all highway and street crossings, sufficient to prevent cattle or other animals from getting on such railroad. Also, gates or bars convenient for farm crossings ;

36th. Insert, at the end of section 16, article 4, the following words: "when the existence of such fire is communicated to any of the officers of such company ;"

Respectfully report that they have met the joint committee from the Senate, and have agreed to the following:

1st. That the Senate concur in the fourteenth amendment made by the House ;

2d. That the House recede from its amendment in striking out section 13, article 2, and that said section 13 be amended by striking out in line 3, after the word "State," the words, "a higher rate," and insert the words "a greater sum ;" and insert after the word "railroad," in line 5, the following: "*Provided*, That nothing in this section shall be so construed as to prevent special rates from being made for transporting freights from points where railroads come in competition with water transportation ;"

3d. That the House recede from the thirty-fifth amendment, and that the following be inserted in lieu thereof: After the word "law," in third line, "with suitable fences, or other protections at farm crossings as shall be sufficient to keep cattle from running on such railroad track while being driven across such road ; also, openings and gates, or bars therein, convenient for farm crossings, for the use of the proprietors of the lands adjoining such railway ;

4th. That the House recede from its thirty-sixth amendment, requiring notice to be sent to the officers of a railroad in order hold them responsible for loss or damage by fire.

The majority of your committee on the part of the House,

being unanimous with the Senate committee in making the above amendments, have directed me to report the same back to the House, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS,

F. ACKLEY.

Report accepted and committee discharged.

The minority of the committee of conference relative to Senate bill No. 193, entitled

A bill to revise the laws relative to the incorporation of railroad companies,

Respectfully report that they do not favor the insertion of section 13 and the amendments proposed thereto. Nor do they favor the thirty-fifth amendment proposed relative to farm, highway, and street crossings.

JOHN L. BUELL.

Report accepted and committee discharged.

The question being on concurring in the report of the committee of conference as concurred in by the Senate,

The same was not concurred in, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Hewitt,	Mr. Robertson,
Bailey,	Hosner,	Rose,
Bottomley,	Lamb,	Sessions,
Brunson,	Lockwood,	Simpson,
Chamberlain,	Luce,	Striker,
Climie,	Markey,	Thompson,
Curtis,	E. R. Miller,	Van Aken,
Dinturff,	R. C. Miller,	B. Walker,
Drake,	Morse,	C. W. Watkins,
Fancher,	O'Dell,	E. C. Watkins,
Ferguson,	Pierce,	Welch,
Garfield,	Priest,	Welker,
Garvelink,	Remer,	West,
Goodrich,	Rich,	Wheeler,
Gordon,	Ripley,	Wixson,
Green,	Robinson,	Speaker,
Haire,		

## NAYS.

Mr. Bartholomew,	Mr Harris,	Mr. Smith,
Breitung,	Haywood,	Speed,
Briggs,	Hoar,	Thomas,
Buell,	Howard,	Van Scoy,
Carter,	Hoyt,	A. Walker,
Drew,	Lewis,	Walton,
Edwards,	Mitchell,	Warren,
Fey,	Parsons,	Withington,
Gilmore,	Perry,	Zimmerman,
Grant,	Shaw,	29

On motion of Mr. C. W. Watkins,

The amendment made to the title by the Senate was agreed to.

Messrs. Morse and Chafey appeared in the center of the Hall bearing a large picture of the members of the House.

Mr. Caplis arose in his place, and addressed the Speaker as follows :

*Mr. Speaker Croswell*—My associates in this House have done me the honor of inviting me to present you this testimonial of their esteem and good-will. It is but simple justice to say that it but inadequately expresses the high appreciation felt by each and all of the courtesy, dignity, and ability with which you have presided over their deliberations. It has been your rare good fortune, Mr. Speaker, to have merited, by the justice and impartiality of your course in the chair, the high hopes which all entertained of your eminent fitness for the duties of your high office. And I believe I express the sentiments of all in wishing that you may live long to enjoy the consciousness of their friendship and esteem, and of that higher consciousness of having discharged the delicate and responsible duties which have devolved upon you in the spirit of wisdom and justice.

The Speaker then addressed the House as follows :

I hardly know what to say in response to this expression of your kindness and good-will toward me. I can only say that from the core of my heart I sincerely thank you for this, and



the many other evidences of confidence and esteem that I have received at your hands.

" Your pains  
Are registered where every day I turn  
The leaf to read them."

When I entered upon the duties of this place I pledged you that I would discharge the trust firmly, faithfully, and impartially, according to the best of my ability. I esteemed it a great honor to preside over your deliberations, but I regard it as a far greater honor to know that these duties have been so discharged as to meet your approval, and that approval is the highest reward that I could possibly desire. With the consciousness of your approbation, I shall go from here with a glad heart and a high step.

I accept this most appropriate memento of your friendship, bearing as it does the image of so many with whom I have gladly associated, as a reminder of many pleasant days passed within these walls, and a remembrance of many friends with whom I have taken sweet counsel. However, we may be separated, I assure you my humble prayer shall ever be that Heaven may shower its choicest and richest blessings upon every one of you.

The Speaker announced the following:

Mr. Speaker: Before this session shall close, the member from the first district of Macomb county would embrace the earliest opportunity to return his most heartfelt thanks to this House, for its uniformly courteous respect shown to him from first to last; and having been one of the very small minority in this body, he would not omit to say that he will ever feel bound to cherish none but the friendliest recollections of the majority.

H. H. CADY.

The communication was laid on the table.

The committee of conference appointed by the Senate and House of Representatives, to whom was referred

House bill No. 164, entitled

A bill to amend an act entitled "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," approved March 18, 1863,

Respectfully report that they have had the same under consideration, and have directed us to report, recommending that the Senate recede from that portion of its amendments adding four new sections to said bill, providing for graduating the lands belonging to the Agricultural College, and further recommending that the House concur in the amendment made by the Senate, striking out in line 2 of section 3 the word "three," and inserting in lieu thereof the word "five," and striking out in line 8 of the same section the word "five," and inserting in lieu thereof the word "seven;"

All of which we respectfully submit, and ask to be discharged from the further consideration of the subject.

H. H. WHEELER,

*Chairman of Com. on the part of the Senate.*

E. L. BRIGGS,

*Chairman of Com. on the part of the House.*

Report accepted and committee discharged.

The question being on concurring in the report of the committee of conference,

The same was concurred in, by yeas and nays, as follows:

YEAS.

Mr. Bailey,	Mr. Grant,	Mr. Robertson,
Bartholomew,	Hertzler,	Sessions,
Bonine,	Hoar,	Shaw,
Bottomly,	Hoyt,	Speed,
Breitung,	Kellogg,	Striker,
Briggs,	Lamb,	Thomas,
Brunson,	Markey,	Thompson,
Carter,	E. R. Miller,	Van Aken,
Chamberlain,	R. C. Miller,	A. Walker,
Climie,	Morse,	B. Walker,
Curtis,	O'Dell,	Walton,
Dinturff,	Parsons,	Warren,

Mr. Fancher, Ferguson, Fey, Garvelink, Goodrich, Gordon,	Mr. Priest, Remer, Rich, Ripley, Robinson,	Mr. Welch, Welker, Wheeler, Zimmerman, Speaker,	52
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## NAYS.

Mr. Ackley, Gilmore, Green, Haywood,	Mr. Howard, Lewis, Lockwood,	Mr. Simpson, Van Scoy, Wixson,	10
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The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

WHEREAS, The Congress of the United States, by appropriate legislation, has authorized and encouraged the celebration by suitable ceremonies, at Philadelphia, the hundredth Anniversary of the Declaration of the Independence of the United States, and an International Exposition of the products of mine and soil, during the summer of 1876 ; therefore,

*Resolved* (the House concurring), That the Legislature of Michigan heartily approves the object of the celebration and of the International Exposition, and recommend a cordial co-operation on the part of the people of this State, because such a celebration and Exposition will show to all nations what has been accomplished in true progress, in the accumulation of wealth, in the dissemination of knowledge, and in promotion of the happiness of the citizens of this great Republic by the influence of free institutions.

*Resolved*, That the fact of an appropriation on the part of the State of Pennsylvania of one million of dollars, and of the subscription of two millions of dollars by the city of Philadelphia, gives reason to believe that the celebration and Exposition will be so endorsed as to prove a great success ;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Grant,

The resolution was concurred in and adopted.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved* (the House concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and directed to draw orders on the State Treasurer in favor of the Postmaster of the city of Lansing for the amount due said Postmaster for postage on mail matter received by members of the Legislature during the present session ;

Which has passed the Senate and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Goodrich,

The resolution was concurred in and adopted.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved* (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and requested to compile and pre-

pare for publication, and make indexes and superintend the publication, of the journals and documents of the present Legislature, and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for such services the sum of five hundred dollars; and that the compiler of the Legislative Manual shall receive for his services as such compiler the sum of two hundred and fifty dollars;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to return the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution authorizing the Board of State Auditors to settle with the several reporters of the supreme court, and to collect the amounts due from them to the State;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 56, entitled

A bill to amend act No. 57 of the session laws of 1850, being "An act to incorporate the Plymouth Plank Road Company," approved March 5, 1850, by adding thereto a new section to stand as section 7 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873. }*

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill, entitled

A bill to enable the county of Menominee to aid in maintaining a hospital for indigent and other sick persons ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Buell,

The rules were suspended, and the bill was placed on the order of third reading.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873. }*

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 334, entitled

A bill establishing a lien for labor and services upon logs and timber;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved by the Senate (the House concurring), That the Commissioner of the United States Land Office be and is hereby requested to investigate and, if found necessary, cause a resurvey of township No. 19 north, range 1 west; also townships 28, 29, and 30 north, of ranges 5 and 6 west, of principal meridian, and such other townships as have not been properly and legally surveyed, the same being situate in the State of Michigan ;*

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Hoyt,

The resolution was concurred in and adopted.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to organize the township of Lake in Benzie county;

Which passed the two Houses, and which the Governor returned to the House with his objections, and which the House again passed notwithstanding the objections of the Governor, and to inform the House that the Senate has passed the same bill by a vote of two-thirds of all the Senators elect, the objections of the Governor to the contrary notwithstanding, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Mr. Rose, leave being granted, moved to take from the table Senate bill No. 224, entitled

A bill to amend section 114 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1080 of the compiled laws of 1871;

Which motion prevailed.

On motion of Mr. Rose,

The bill was placed on the order of third reading.

Mr. Lockwood, leave being granted, offered the following:

*Resolved*, That the Clerk of this House be instructed to forward six copies of the Legislative Journal from this date to the close of the session to each of the members and officers of this House, so as to enable them to complete their files;

Which was adopted.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:



1. House bill No. 177, entitled

A bill to amend section 27 of "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 993 of chapter 21 of the compiled laws of 1871;

2. House bill No. 257, entitled

A bill to amend section 4 of an act entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases," being section 4253 in chapter 150 of the compiled laws of 1871;

3. House bill No. 381, entitled

A bill to amend sections 12, 14, 1, 86, 87, 89, and 3 of chapter 12, being sections 647, 649, 695, 729, 730, 732, and 735 of compiled laws of 1871, relative to the powers and duties of townships, and election and duties of township officers; and sections 1, 2, 3, 5, 8, 11, 12, 13, 14, 2, 3, 4, 5, 0, 1, and 1 of chapter 23, being sections 1192, 1193, 1194, 1196, 1199, 1262, 1203, 1204, 1205, 1207, 1208, 1209, 1210, 1212, 1214, and 1215 of compiled laws of 1871, relative to officers having the care and superintendence of highways and bridges, and their general powers and duties; and sections 2, 4, 5, 6, 7, 8, and 9 of chapter 24, being sections 1217, 1219, 1220, 1221, 1222, 1223, and 1224 of compiled laws of 1871, relative to persons liable to work on highways, and making assessments therefor; and sections 3, 15, 16, 17, 18, 20, 21, 22, 23, and 1 of chapter 25, being sections 1228, 1240, 1241, 1242, 1243, 1245, 1246, 1247, 1248 and 1251 of compiled laws of 1871, relative to the duties of overseers in regard to the performance of labor on highways, the performance of such labor or the commutation therefor and application of moneys by the commissioners; and sections 2, 3, 4, 7, 8, 11, 14, 15, 16, and 1, of chapter 26, being sections 1253, 1254, 1255, 1258, 1259, 1262, 1265, 1266, 1267, and 1278 of compiled laws of 1871, relative to "laying out, altering, and discontinuing public roads;" and sections 2, 4, 5, and 6 of chapter 27, being sections 1290, 1292, 1293, and

1294 of compiled laws of 1871, relative to "The obstruction of highways, encroachments thereon, and penalties;" and sections 1, 3, 4, 6, 7, 8, 2, and 3, of chapter 28, being sections 1301, 1303, 1304, 1306, 1307, 1308, 1310, and 1311, of compiled laws of 1871, relative to "the erection, repairing, and preservation of bridges;" add sections 3 and 5 of chapter 29, being sections 1317, 1321 of compiled laws of 1871, relative to "miscellaneous provisions of a general nature;" and sections 1, 3, 4, 1, 2, and 4 of chapter 31, being sections 1335, 1337, 1338, 1340, 1341, and 1342 of compiled laws of 1871, relative to private roads; and sections 9 and 14 of chapter 47, being sections 1753 and 1758 of compiled laws of 1871, relative to the draining of swamps, marshes, and low lands; and sections 2, 3, and 4 of chapter 68, being sections 2130, 2131, and 2132 of compiled laws of 1871, relative to preventing the spread of Canada thistles; and sections 27 and 45 of chapter 78, being sections 2587 and 2605 of compiled laws of 1871, relative to plank road companies, being the various sections defining the powers and duties of the commissioners of highways, and adding a new section thereto;

In the passage of which the Senate has not concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Gordon,

The several named bills were laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution concerning the State swamp lands in certain counties;

In the passage of which the Senate has not concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Brunson,

The joint resolution was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. House bill No. 301, entitled

A bill to amend section 12 of "An act to provide for the draining of swamps, marches, and other low lands," approved March 22, 1869, being section 1756 of the compiled laws of 1871, and to add a new section thereto, to stand as section 34 ;

2. House bill No. 313, entitled

A bill to protect water-power owners ;

3. House bill No. 340, entitled

A bill to amend an act entitled, "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," being sections 54, 59, 67, 70, 71, 73, 74, 75, 77, 78, 79, 80, 81, 82, 84, 87, 88, 89, 90, 91, 92, 93, 95, 99, 100, 102, 103, 104, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 149, 162, and to repeal sections 68, 76, 83, 94, 96, 97, 98, 105, 106, 107, 108, 109, 110, 111, 112, 113, and 118 of chapter 21, being sections 1020, 1025, 1033, 1036, 1037, 1039, 1040, 1041, 1043, 1044, 1045, 1046, 1047, 1048, 1050, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1061, 1065, 1066, 1068, 1069, 1070, 1080, 1083, 1085, 1086, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1115, 1121, 1123, 1130, 1034, 1042, 1049, 1060, 1062, 1063, 1064, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1084, of the compiled laws of 1871 ;

In the passage of which the Senate has not concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Lockwood,

The several bills were laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 188, entitled,

A bill to amend section 124 of chapter 21, being section 1090 of the compiled laws of 1871, and being an act entitled “An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,”

And to inform the House that the Senate has amended the same by striking out all of recited section 124 and inserting in place thereof the following :

(1090). Sec. 124. In addition to the lists required by section 78 and 118 of this act, the Auditor General shall also furnish annually, in the month of September, to each county treasurer a list of all State tax lands remaining unsold for five or more years from the time such lands were bid off to the State, which land shall at the next annual tax sale be offered for sale to the highest bidder, without reference to the minimum as established by law, or the cost to the State of each parcel in taxes, interest, and charges ; and all money received at such sale in excess of the amount of taxes originally charged against any parcel of land so offered shall be placed to the credit of the county in which such parcel of land may be situated ; and if any parcel of land so offered shall be sold for less than the amount of taxes originally charged against said parcel of land, then the proper county shall be charged with the difference between the sum for which such parcel was so sold, and the

amount of taxes originally assessed thereon; but such State tax lands shall be sold subject to the same conditions and restrictions in other respects as are now or may hereafter be provided by law in regard to other State tax lands; and lands to be sold under the provisions of this section shall be offered for sale prior to the sale of other State tax lands. The board of supervisors of any county may dispose of the whole amount so charged back, as shall appear against each or any of the several descriptions of land on such list, by re-assessment, when the taxes had been properly assessed, and not discharged by a decree of any court or otherwise, or in such other manner, at the discretion of such board, as may be deemed proper.

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoyt moved that the House concur in the amendments made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Hoyt,	Mr. Speed,
Bailey,	Kellogg,	Striker,
Bonine,	Knapp,	Thomas,
Bottomley,	E. R. Miller,	Thompson,
Briggs,	R. C. Miller,	Van Scoy,
Brunson,	Mitchell,	A. Walker,
Caplis,	Parsons,	B. Walker,
Carter,	Piest,	Warren,
Chamberlain,	Rich,	C. W. Watkins,
Climie,	Ripley,	E. C. Watkins,
Edwards,	Robinson,	Welch,
Goodrich,	Robertson,	Welker,
Gordon,	Rose,	West,
Grant,	Sessions,	Wheeler,
Green,	Shaw,	Withington,
Hosner,	Simpson,	Wixson,

## NAYS.

Mr. Breitung,  
Buell,  
Burns,  
Dinturff,  
Drew,  
Fancher,

Mr. Gilmore,  
Haywood,  
Hewitt,  
Howard,  
Lewis,  
Luce,

Mr. Markey,  
Perry,  
Remer,  
Walton,  
Speaker,

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The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to provide for the collection and printing of the laws of the Territory of Michigan;

2. House manuscript bill, entitled

A bill to amend section 84 of chapter 136, of primary school laws, being section 3653 of the compiled laws of 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 199, entitled

A bill to amend an act entitled "An act to provide for a uniform assessment of property, and for the collection and

return of taxes thereon," approved April 6, 1869, by adding one new section thereto;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 379, entitled

A bill for the relief of Henry Gilbert ;

2. House manuscript bill, entitled

A bill to establish and organize a police court in the city of Grand Rapids ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment, for enrollment.

Mr. Remer moved to reconsider the vote by which the House concurred in the amendments made by the conference committee to House bill No. 164, entitled

A bill to amend an act entitled "An act to provide for the selection, care and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," approved March 18, 1863.

Mr. Speed moved to lay the motion to reconsider on the table;

Which motion did not prevail.

The motion to reconsider then prevailed.

The question being on concurring in the amendments made to the bill by the conference committee,

The motion did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Bailey,	Mr. Grant,	Mr. Thomas,
Bartholomew,	Hoyt,	Thompson,
Bonine,	Knapp,	A. Walker,
Bottomley,	R. C. Miller,	B. Walker,
Briggs,	Mitchell,	Walton,
Buell,	Parsons,	Warren,
Caplis,	Priest,	E. C. Watkins,
Climie,	Rich,	Welker,
Drew,	Robinson,	Withington,
Fancher,	Sessions,	Zimmerman,
Goodrich,	Shaw,	Speaker, 33

#### NAYS.

Mr. Ackley,	Mr. Haywood,	Mr. Perry,
Brunson,	Hoar,	Remer,
Burns,	Hosner,	Ripley,
Carter,	Howard,	Rose,
Edwards,	Kellogg,	Simpson,
Ferguson,	Lamb,	Van Scoy,
Fey,	Lewis,	Welch,
Gordon,	Lockwood,	Wheeler,
Green,	Luce,	Wixson,
Harris,	Markey,	29

Mr. Shaw offered the following :

WHEREAS, The attendant physicians of Hon. L. Walker, an able and honorable member of this body, inform us that he lies dangerously ill at his room, which illness is mostly attributed to over labors during this session ; therefore

*Resolved,* That we deeply regret that, as we go from here to our homes, one of our most beloved fellow-workers must remain, and perhaps add another to the long list of persons in our government who have fallen a sacrifice to that laudable



ambition to promote the general welfare, and receive the approbation of their friends and country ;

Which was unanimously adopted.

On motion of Mr. Rose,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The House resumed the order of

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 375, entitled

A bill regulating freights on railroads ;

And to inform the House that the Senate has amended the same as follows :

1st. By inserting in line 14 of section 3, after the word "property," the words "than a fair and reasonable rate," and also by striking out in same line all after the word "rate" up to the word "this ;"

2d. By striking out of section 5 all after the word "road" in line 6 to and including the word "or" in line 8.

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. E. C. Watkins moved that the House concur in the amendments made to the bill by the Senate ;

Which motion did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,
Bottomley,	Hosner,	Sessions,
Briggs,	Lamb,	Simpson,
Brunson,	Lewis,	Thompson,
Chamberlain,	Lockwood,	E. C. Watkins,
Climie,	Morse,	Welch,
Dinturff,	Noyes,	Welker,
Fancher,	Priest,	Wheeler,
Ferguson,	Robinson,	Zimmerman,
Garvelink,		28

## NAYS.

Mr. Breitung,	Mr. Hoar,	Mr. Striker,
Buell,	Howard,	Thomas,
Burns,	Hoyt,	Van Aken,
Carter,	Luce,	Van Scoy,
Drew,	R. C. Miller,	A. Walker,
Eggleston,	Mitchell,	Walton,
Fey,	Parsons,	Warren,
Grant,	Perry,	C. W. Watkins,
Harris,	Rich,	Withington,
Haywood,	Ripley,	Wixson,
Hertzler,	Shaw,	32

The special committee appointed at the commencement of the session to invite the officiating clergymen of Lansing to take charge of the devotional exercises of the House, would respectfully make the following additional report, that the members of this House have contributed the amount of \$170 50 to be distributed among the clergy that have taken part in these exercises.

HENRY F. THOMAS, *Chairman.*

Report accepted.

The joint committee of the Senate and House of Representatives, appointed to investigate the alleged fraudulent disposal of lands by the late Commissioner of the Land Office, as set forth in the message of his Excellency the Governor, communicated to the Legislature on the 10th day of April, 1873,

Respectfully report that they have had the same under consideration, and have taken a large amount of evidence in regard to the same; but by reason of the limited time which they have had since their appointment as said committee, they have been unable to finish such investigation, and to close the taking of the testimony relating thereto. Your committee would further report, that in their opinion it is not advisable to report such proof, by them taken, to the Legislature, or to make the same public at the present time, as it might prevent the successful accomplishment of the object which the Legislature have in view.

Very respectfully yours,  
M. S. BREWER,  
H. H. WHEELER,  
*Committee on the part of the Senate.*  
E. S. EGGLESTON,  
M. J. NOYES,  
*Committee on the part of the House.*

Report accepted.

The House took up the order of

### THIRD READING OF BILLS.

On motion of Mr. Hoyt,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the bills on the order of third reading were put upon their passage.

Senate manuscript bill, entitled

A bill to enable the county of Menominee to aid in maintaining a hospital for indigent and other sick persons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

### YEAS.

Mr. Bartholomew,	Mr. Harris,	Mr. Robinson,
Bottomley,	Haywood,	Robertson,
Breitung,	Hertzler,	Sessions,
Briggs,	Hoar,	Shaw,
Brunson,	Hosner,	Speed,
Buell,	Howard,	Thompson.

Mr. Burns,	Mr. Hoyt,	Mr. Van Scoy,
Caplia,	Lewis,	A. Walker,
Carter,	Luce,	Walton,
Drew,	Markey,	Warren,
Edwards,	E. R. Miller,	Welch,
Eggleston,	R. O. Miller,	Welker,
Fancher,	Mitchell,	West,
Fey,	Priest,	Withington,
Garvelink,	Remer,	Wixson,
Goodrich,	Rich,	Zimmerman,
Gordon,	Ripley,	Speaker,
Grant,		52

## NAYS.

Mr. Ackley,	Mr. Gilmore,	Mr. Striker,
Bailey,	Lamb,	Thomas,
Chamberlain,	Morse,	Van Aken,
Climie,	Noyes,	O. W. Watkins,
Dinturff,	Rose,	E. C. Watkins,
Ferguson,	Simpson,	17

Title agreed to.

On motion of Mr. Buell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 224, entitled

A bill to amend section 114 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1080 of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fancher moved to amend the bill by striking out the *proviso* at the end of the bill;

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robinson,
Bailey,	Grant,	Robertson,
Bartholomew,	Green,	Rose,
Bonine,	Harris,	Sessions,

Mr. Breitung,	Mr. Haywood,	Mr. Shaw,
Briggs,	Hertzler,	Speed,
Brunson,	Hoyt,	Striker,
Buell,	Lamb,	Thompson,
Burns,	Lewis,	Van Aken,
Caplis,	Lockwood,	A. Walker,
Carter,	Markey,	Warren,
Climie,	E. R. Miller,	C. W. Watkins,
Dinturff,	R. C. Miller,	Welker,
Fancher,	Morse,	West,
Ferguson,	Noyes,	Wheeler,
Fey,	Priest,	Withington,
Garvelink,	Remer,	Wixson,
Gilmore,	Rich,	Speaker,
Goodrich,	Ripley,	56

## NAYS.

Mr. Bottomley,	Mr. Luce,	Mr. Van Scoy,
Chamberlain,	Mitchell,	Walton,
Drew,	Parsons,	E. C. Watkins,
Edwards,	Simpson,	Welch,
Eggleston,	Thomas,	Zimmerman,
Howard,		16

Title agreed to.

The House took up the order of

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 51, entitled

A bill to repeal an act entitled "An act to provide for a tax upon dogs;"

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to re-return to the House the following bill :

House bill No. 375, entitled

A bill to regulate freights on railroads,

To which the Senate made sundry amendments ;

In which the House refused to concur, and to inform the House that the Senate refuses to recede from its amendments.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Withington,

The bill was laid on the table.

#### MOTIONS AND RESOLUTIONS.

Mr. Burns moved to take from the table Senate bill No. 179, entitled

A bill to amend section 15 of act No. 175 of the laws of 1851, entitled "An act to provide for holding general and special elections," approved June 27, 1851, being section 46 of the compiled laws of 1871 ;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Bartholomew,	Mr. Gordon,	Mr. Remer,
Brunson,	Harris,	Robinson,
Burns,	Haywood,	Rose,
Caplia,	Lamb,	Shaw,
Drew,	Lockwood,	Speed,
Eggleston,	Markey,	Thomas,
Ferguson,	R. C. Miller,	Walton,

Mr. Fey, Garvelink, Gilmore,	Mr. Mitchell, Parsons, Priest,	Mr. C. W. Watkins, Welch, Speaker,	30
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## NAYS.

Mr. Ackley, Briggs, Carter, Chamberlain, Dinturff, Fancher, Goodrich, Hertzler, Howard,	Mr. Hoyt, E. R. Miller, Morse, Noyes, Perry, Rich, Ripley, Simpson, Striker,	Mr. Van Aken, Van Scoy, A. Walker, Warren, E. C. Watkins, Welker, Wheeler, Withington, Wixson,	27
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Mr. Eggleston offered the following :

*Resolved*, That the Clerk of this House be directed to draw his order for \$44 35, in favor Randall S. Parkman for services rendered as Sergeant-at-Arms with the special committee on the Grand Rapids & Indiana railroad ; also, an order for \$63 60 in favor of E. S. Eggleston for moneys paid out to witnesses examined by said committee ;

Which was adopted.

Mr. Caplis moved to take from the table House bill No. 88, entitled

A bill concerning seals to be affixed to official documents ;

Which motion did not prevail.

Mr. Speed offered the following :

*Resolved*, That a committee of three be appointed to wait upon the Governor and the Senate, and to inform them that this House has concluded its business and is ready to adjourn, and to ask them if they have any further communications to make ;

Which was adopted.

The Speaker announced as such committee, Messrs. Speed, Withington, and E. C. Watkins.

Mr. Withington offered the following :

*Resolved*, That the thanks of this House are due and cordially expressed to the members of this House and its Engrossing and Enrolling Clerk, who, by their services as a choir at

our opening religious exercises, have greatly added to the pleasure and impressiveness of the morning service ;

Which was adopted.

Mr. Howard offered the following :

*Resolved*, That the thanks of this House are hereby tendered to the numerous members of the *Third House*, including the several Detroit and Saginaw delegations, for their uniform courtesy to the members of this House, and especially to John Harmon, Speaker, and Milton H. Butler, chairman of ways and means committee, for their untiring efforts and energy in the discharge of their arduous duties devolving upon them during this prolonged session ;

Which was adopted.

The Speaker, leave being granted, announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 82, entitled

A bill to regulate the carrying of freight and passengers on all railroads in this State ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on railroads.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to re-transmit to the House the following bill :



Senate bill No. 224, entitled

A bill to amend section 114 of an act entitled "An act to provide for a uniform assesment of property, and for the collection and return of taxes thereon," approved April 5, 1869, being section 1080 of the compiled laws of 1871 ;

Which the House amended by striking out the proviso at the end of recited section 114,

And to inform the House that the Senate does not concur in said amendment.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Hoyt,

The bill was laid on the table.

Mr. Perry offered the following :

*Resolved*, That the hearty thanks of this House, without regard to political distinctions, be and the same are hereby extended individually and collectively to the Honorable Charles M. Croswell, our presiding officer, for the eminently courteous, dignified, able, and impartial manner in which he has presided over the deliberations of this body during the session just drawing to a close, and that in parting with him as our presiding officer, we assure him that he carries with him our kindest wishes, high esteem, and united friendship ;

Which was adopted by a rising vote.

Mr. Welker offered the following :

*Resolved*, That the thanks of the members of this House is hereby tendered and expressed to the different churches of this city, for so kindly seating and entertaining us in their several houses of worship on the Sabbaths we have been in this city ;

Which was adopted.

The committee on railroads reported as follows :

The committee on railroads, to whom was referred Senate bill No. 82, entitled

A bill to regulate the carrying of freight and passengers on all railroads in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman*.

Report accepted and committee discharged.

Mr. Withington moved that the further consideration of the bill be indefinitely postponed.

Mr. Bailey demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Shaw,
Bartholomew,	Harris,	Speed,
Breitung,	Haywood,	Striker,
Buell,	Hertzler,	Thomas,
Burns,	Hoar,	Van Scoy,
Caplis,	Howard,	A. Walker,
Carter,	Hoyt,	Walton,
Drew,	Parsons,	Warren,
Eggleston,	Perry,	Withington,
Fey,	Priest,	Wixson,
Gilmore,	Ripley,	Zimmerman,
Gordon,		

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#### NAYS.

Mr. Bailey,	Mr. Goodrich,	Mr. Rich,
Bonine,	Green,	Robinson,
Bottomley,	Knapp,	Rose,
Briggs,	Lamb,	Simpson,
Brunson,	Lewis,	Thompson,
Chamberlain,	Lockwood,	Van Aken,
Clintie,	E. R. Miller,	E. C. Watkins,
Dinturff,	R. C. Miller,	Welch,
Edwards,	Mitchell,	Welker,
Fancher,	Morse,	West,
Ferguson,	Noyes,	Wheeler,
Garvelink,	Remer,	

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On motion of Mr. E. C. Watkins,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Ferguson offered the following :

*Resolved*, That the thanks of this House be extended to the keeper of the cloak-room and the messenger boys, for the efficiency with which they have discharged their respective duties, and that fifty cents per day, extra compensation, be given each of them, for said services during the session ;

Mr. Chamberlain demanded a division of the question.

The question being on tendering a vote of thanks,

The same was agreed to.

The question being on the allowance of extra compensation,

Mr. Rich demanded the yeas and nays.

The demand was seconded, and the allowance of extra compensation was not agreed to, by yeas and nays, as follows :

#### YEAS.

Mr. Bailey,	Mr. Green,	Mr. Noyes,
Breitung,	Haywood,	Rose,
Caplis,	Hertzler,	Simpson,
Drew,	Knapp,	Van Scoy,
Ferguson,	Lewis,	Wheeler,
Gordon,	Markey,	

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#### NAYS.

Mr. Ackley,	Mr. Gilmore,	Mr. Ripley,
Bartholomew,	Goodrich,	Robinson,
Bonine,	Grant,	Robertson,
Bottomley,	Howard,	Shaw,
Briggs,	Hoyt,	Striker,
Brunson,	Lamb,	Thomas,
Buell,	Lockwood,	Thompson,
Burns,	Luce,	Van Aken,
Carter,	E. R. Miller,	A. Walker,
Chamberlain,	R. C. Miller,	Walton,
Climie,	Mitchell,	Warren,
Dinturff,	Morse,	O. W. Watkins,
Edwards,	Parsons,	Welker,
Eggleston,	Perry,	West,
Fancher,	Priest,	Wixson,
Fey,	Remer,	Zimmerman,
Garvelink,	Rich,	

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The Sergeant-at-Arms announced the committee appointed on the part of the House, to wait on the Senate and inform

that body that the House had finished its business and was ready to adjourn, who reported that they had performed the duty assigned them, and were discharged.

Mr. Bronson offered the following :

*Resolved*, That the thanks of this House, be and are hereby tendered to the citizens of Lansing, for their kind and courteous treatment of ourselves during our long and pleasant sojourn in their midst, praying as we do, for their continued happiness and prosperity ;

Which was adopted.

Mr. Lamb offered the following :

*Resolved*, That the State Treasurer be and is hereby requested and instructed to refund to the Clerk of the House, the amount of postage and expressage paid by him under a resolution heretofore adopted, whenever the Clerk shall make demand therefor and present his bill for the amount, certified by him to be correct ;

Which was adopted.

The Speaker, leave being granted, announced the following :

SENATE CHAMBER, }  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved* (the House concurring), That the State Land Board be and is hereby instructed to withhold from sale all lands granted to the State for the support of the Agricultural College, not yet disposed of, until said lands have been examined and prices established according to an appraised valuation thereof ;

Which has passed the Senate and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Buell,

The resolution was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to re-return to the House the following bill:

House bill No. 188, entitled

A bill to amend section 124 of chapter 21, being section 1090 of the compiled laws of 1871, and being an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon;"

To which the Senate made sundry amendments, which were non-concurred in by the House,

And to inform the House that the Senate refuses to recede.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

On motion of Mr. E. O. Watkins,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved* (the House concurring), That the Governor be and he is hereby authorized and directed to appoint a suitable and competent person to compile the manual for the use of the next Legislature; said manual to contain the usual statistical and other contents, and in addition thereto, a description of the new State Capitol. The same shall be printed and bound in the usual style by the State printer, under the direction of the committees on printing in the two Houses. The compiler of said manual to receive for his services such sum as shall be

fair and adequate: *Provided*, That no compensation shall be allowed or paid therefor unless the manual shall be ready for the printer within thirty days from and after the organization of the Legislature;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Grant,

The resolution was laid on the table.

Mr. Perry offered the following:

*Resolved by the House of Representatives of the State of Michigan* (the Senate concurring), That there be and hereby is appropriated, from any unexpended funds in the State Treasury, the sum of twenty-five cents, to be expended for procuring a basswood statue of Benjamin F. Butler, to be placed in the new Capitol as a memento of the salary steal;

Laid over under the rules.

Mr. E. C. Watkins offered the following:

WHEREAS, H. A. Norton, Assistant Sergeant-at-Arms of this House, has performed the duties of his office faithfully and with ability; and

WHEREAS, Extra pay has been allowed the Sergeant-at-Arms and Clerks of this House; therefore,

*Resolved*, That the sum of one dollar per day extra compensation be allowed the said H. A. Norton, during the present session;

On the adoption of which,

Mr. Lamb demanded the yeas and nays:

The demand was seconded, and the resolution was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Bailey,  
Breitung,  
Burns,

Mr. Grant,  
Green,  
Harris,  
Haywood,

Mr. Remer,  
Rose,  
Shaw,  
Simpson,

Mr. Caplis,	Mr. Hertzler,	Mr. Thomas,
Edwards,	Hoar,	Thompson,
Eggleston,	Knapp,	O. W. Watkins,
Ferguson,	Lewis,	E. C. Watkins,
Fey,	Mitchell,	Wheeler,
Gordon,	Noyes,	Withington, 30

## NAYS.

Mr. Bonine,	Mr. Lamb,	Mr. Robertson,
Bottomley,	Lockwood,	Sessions,
Briggs,	Luce,	Speed,
Brunson,	Markey,	Striker,
Carter,	R. C. Miller,	Van Aken,
Chamberlain,	Morse,	Van Scoy,
Dinturff,	Perry,	A. Walker,
Drew,	Priest,	Walton,
Fancher,	Rich,	Warren,
Gilmore,	Ripley,	Welker,
Goodrich,	Robinson,	Wixson,
Howard,		

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The special committee appointed to investigate the affairs of the Northern Central railroad, and the charges against the same, respectfully report that they have attended to this duty, in a manner worthy of the highest commendation.

They have examined 444 witnesses who know nothing about the subject, and have had their testimony taken down by a short-haired reporter, in his stockings.

The first complaint against the road was that it failed to issue passes to all the members of the Legislature as required by law.

This charge was sustained, and your committee recommend that the general railroad law be so amended as to forfeit the franchises of any railroad which neglects or refuses to issue passes to the members of both Houses of the Legislature, Clerk, Sergeant-at-Arms, messengers, keeper of the cloak-room, lobbyists, fish commissioners, and Modocs.

The second charge was that the said railroad charged money for freight on goods shipped over their road.

The evidence showed that the road was guilty of this

reprehensible practice, and your committee recommend that they be served with a copy of Climie's bill.

This road runs through a fertile country, and might be a successful road but for the great scarcity of water upon its route. Water can only be had by purchase of the proprietor of the mineral springs at \$2 50 per dozen quart bottles, and the consequence is that the officers of the road are obliged to furnish original packages of such other fluids as the supporters of the prohibitory liquor law will accept.

This drawback the road might overcome, but there is another which blights its fair prospects and hangs like an incubus upon its prosperity, and must forever bar it from the support of all upright, law-abiding, and moral men. The road runs through the village of Eaton Rapids.

Your committee therefore recommend that the prohibitory liquor law be so amended as to prohibit the manufacture, sale, drinking, or discharge of mineral water at any point on the line of the Northern Central Railroad.

They also recommend that a police officer be placed upon the train whenever the Hon. Henry A. Shaw is a passenger.

They further recommend that the stenographer employed by the committee be paid the sum of \$1,462 50 for his services, and that the manuscript report be filed in the office of the Mayor of the city of Bangor.

W. H. WITHINGTON, *Footman*.

Report accepted and committee discharged.

On motion of Mr. Shaw,

The report was adopted.

The Speaker announced the following

MESSAGE FROM THE GOVERNOR:

EXECUTIVE OFFICE, }  
Lansing, April 25, 1873. }

*To the House of Representatives:*

I have this day approved, and deposited with the Secretary of State, the following:



1. Joint resolution relative to the distribution of the laws, journals, documents, and joint documents of the session of the Legislature for the year 1873 ;

2. An act relating to jail records and reports ;

3. An act to amend section 39 of chapter 177 of the compiled laws of 1871, being compiler's section 5230, relative to probate courts ;

4. An act to provide for determining and regulating the tolls, and for the care, charge, and operating of Portage Lake and Lake Superior Ship Canal ;

5. An act to revise the charter of the village of Decatur, being an act entitled "An act to incorporate the village of Decatur," approved March 16, 1861 ;

6. An act to amend section 12 of chapter 58 of the revised statutes of 1846, being section 3593 in chapter 136 of the compiled laws, relative to primary schools ;

7. An act to amend chapter 92 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for building and leasing houses and other tenements ;

8. An act to provide for keeping more complete accounts in the educational, charitable, and penal institutions of the State ;

9. An act to amend section 63 of an act entitled "An act to incorporate the city of Charlotte," and to repeal section 72 of said act, being No. 250 of the session laws of 1871, approved March 29, 1871 ;

10. An act to prevent the destruction of fish in Reed's Lake and Fisk's Lake, in the township of Grand Rapids, in the county of Kent ;

11. An act to provide, upon the sale of lands, whether by levy, mortgage, judgment, or decree, for the discharge of the same from the records of the register of deeds ;

12. An act to amend section 1 of an act to prevent the adulteration of coal oil, being section 7731, chapter 250 of the compiled laws of 1871 ;

13. Joint resolution authorizing the State Board of Control to authorize the issue of State swamp land credits to Henry W.

Burley for labor by him performed on the Osceola and Bridgton State road ;

14. An act to provide for the construction of a State road in the county of Mecosta, to be called and known as the "Millbrook and Altona State road."

JOHN J. BAGLEY.

The message was laid on the table.

The Speaker, leave being granted, announced the following :

SENATE CHAMBER, )  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 144, entitled

A bill to amend sections 6 and 15 of an act relative to the formation of mining companies, approved February 5, 1853, and section 6 of an act supplementary to the foregoing act, approved February 6, 1855, being section 2841, 2850, and 2870 of chapter 95 of the compiled laws of 1871,

And to inform the House that the Senate has amended the same by adding to section 6 the following proviso :

*Provided*, No corporation shall be allowed to organize with more than twenty thousand shares, nor to increase its number of shares to more than twenty thousand of the par value of twenty-five dollars each, unless at least twenty-five per cent in cash of the entire capital stock of such corporation is actually paid in ; and before such increase is allowed, the board of directors shall make a certificate under their hand, duly certified by the oaths of the directors signing the same, that twenty-five per cent in cash of the entire stock of such corporation has been duly paid in ; that the same has been paid in in good faith for the use and purposes of the corporation ; that no agreement or understanding exists, to withdraw such amount so paid in, or any part thereof, or otherwise to evade the provisions of this proviso ; and any person or persons who shall willfully swear falsely, shall be liable to the pains and penalties of perjury. Such certificate so verified by the oaths of the

directors signing the same, shall be filed in the office of Secretary of State. Such certificate and verification shall be recorded in a book to be prepared for that purpose, in the office of the Secretary of State, at the expense of such corporation, and the record of such verified certificate, or a certified copy thereof, shall be *prima facie* evidence of the facts therein contained, in all courts and places ;

2d. By striking out all of section 15, after the word "provided," in line 4, and inserting in lieu thereof the following: "That the real estate held by them shall not exceed one thousand acres of land in the mineral ranges of the upper peninsula, west of and including range 26 west, and not to exceed ten thousand acres of land in any other part of the State, for the purpose of manufacturing iron or steel ; and such quantity shall include all lands held by such corporation, whether by lease, in fee, or otherwise. If any corporation shall, either directly or indirectly, by the intervention of trustees or in any other manner whatever, hold a greater quantity of land than is allowed by this section, the interest of such corporation, legal and equitable, in the excess of lands so held, shall escheat to the State of Michigan, for the use and benefit of the primary school fund: *Provided further*, That all corporations organized and existing at the time when this act shall take effect, be allowed to continue to hold the quantity of land heretofore allowed such corporation by any previous law of this State, and all lands in the mineral ranges west of range 25 west, shall be *prima facie* held and deemed to be mineral lands ;"

3d. By inserting after the word "each," in line 7 of recited section 6, the following: "Under the conditions prescribed in section 6 of this act, the same being section 2841 of the compiled laws of 1871 ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Bonine moved that the House concur in the amendments made to the bill by the Senate ;

Which motion did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,  
Knapp,

Mr. Lamb,

Mr. Perry,

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## NAYS.

Mr. Ackley,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Caplis,  
Carter,  
Dinturff,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Gilmore,  
Goodrich,  
Gordon,  
Grant,

Mr. Green,  
Harris,  
Haywood,  
Hertzler,  
Hoar,  
Howard,  
Hoyt,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
R. C. Miller,  
Mitchell,  
Morse,  
Priest,  
Remer,  
Rich,

Mr. Ripley,  
Sessions,  
Shaw,  
Simpson,  
Speed,  
Striker,  
Van Scoy,  
Walton,  
Warren,  
C. W. Watkins,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

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The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives.*

SIR—I am instructed by the Senate to respectfully request the House to return to the Senate

House bill No. 257, entitled

A bill to amend section 4 of an act entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases," being section 4253, in chapter 150 of the compiled laws of 1871.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Eggleston,

The Clerk was directed to return the bill to the Senate in accordance with the request.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, April 25, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 257, entitled

A bill to amend section 4 of an act entitled " An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases," being section 4353 in chapter 150 of the compiled laws of 1871,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Mr. Grant offered the following:

*Resolved by the House of Representatives* (the Senate concurring), That the amount of the postage stamps furnished by the Postmaster of Lansing to the State Printer, for the prepayment of postage on daily journals, in accordance with a concurrent resolution passed early in the session, be paid by the State Treasurer, on the warrant of the Auditor General, on the presentation of the bill duly certified by S. D. Bingham, Postmaster, and by George F. Strong, foreman of the State bindery, that said stamps have been actually furnished and used for that purpose;

Which was adopted.

Mr. Grant offered the following:

*Resolved*, That there be paid W. D. Burnham and B. D. Thompson, the sum of one dollar each per day during the session of the Legislature, for services performed as night watchmen for this Hall;

Which was adopted.

Mr. Hoyt offered the following :

*Resolved*, That the thanks of this House be and the same are hereby tendered to Hon. C. B. Grant, Speaker *pro tem.*, for the dignified and impartial manner in which he has discharged the duties of the office of Speaker when called upon so to do, and for his uniformly gentlemanly conduct as a member and officer of this House;

Which was adopted.

The Speaker, leave being granted, announced the following :

SENATE CHAMBER, }  
*Lansing, April 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved by the House of Representatives* (the Senate concurring), That the amount of postage stamps furnished by the Postmaster of Lansing to the State printer, for the prepayment of postage on the daily journals, in accordance with a concurrent resolution passed early in the session, be paid by the State Treasurer, on the warrant of the Auditor General, on the presentation of the bill, duly certified by S. D. Bingham, postmaster, and by George F. Strong, foreman of the State bindery, that said stamps have been furnished and used for that purpose ;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Sergeant-at-Arms announced a committee from the Senate, who announced that the Senate had finished its business, and was ready to adjourn.

Mr. Gordon offered the following:

WHEREAS, This House having granted extra compensation to the Clerk and his assistants to the amount of two dollars per day, and but one dollar to the Enrolling Clerk and his assistant, therefore to equalize the amount, and to do justice to said Clerks, be it

*Resolved*, That one dollar extra be allowed to the Engrossing and Enrolling Clerk and his assistant.

On motion of Mr. Warren,

The resolution was laid on the table.

Mr. Perry offered the following:

*Resolved*, That we hereby express our high appreciation of the artistic skill, order, and dispatch shown by our Engrossing and Enrolling Clerk, Mr. William H. Marston;

Which was adopted.

The speaker then addressed the House as follows:

GENTLEMEN OF THE HOUSE—The period which virtually terminates this session of the Legislature having arrived, I should be dead to all feeling did I not take occasion before we separate to express to you my deep sense of obligation for the uniform courtesy which has been extended to me by every member of this House. My association with you is endeared by many pleasant recollections upon which I shall ever linger with satisfaction and delight. It is to me most truly gratifying to be able to say in words of strict truth, that amid all the excitement and heat arising out of the discussion of the many important measures upon which you have been called to act and decide, kindness, respect, and decorum have marked your conduct toward each other, and toward the Chair. In the arrangement of the committees, in the decision of questions, oftentimes new and suddenly raised, and in the discharge of all the difficult and delicate duties of this position, I have invaria-

bly had your forbearance and support. Not a ruling has been questioned, nor an appeal taken from any decision during the entire session, and not an unkind expression has fallen from the lips of any member reflecting upon the official conduct of the chair. With a full heart, in words of deep gratitude, I thank you one and all for the generous confidence and support you have thus constantly given me.

If the duties of this position have been discharged with any degree of success, I feel that it is largely due to your co-operation, as well as to that indulgence on your part which has overlooked my errors and imperfections. It is also proper that I should here acknowledge the valuable aid I have received from the courteous assistants whom you have associated with me in the administration of the duties of this office.

In this place I have closely scanned the business of the House, and I think I may truly say that I have witnessed on the part of members generally an earnestness, an independence, and a desire for the promotion of the general good worthy of the highest commendation. Each has apparently sought for himself an intelligent understanding of the different measures brought up for consideration, and has acted thereon on his own convictions as to him seemed proper and right, without blindly following in the lead of others.

The rapid growth and development of the State, with the long period intervening between the sessions of the Legislature, have necessarily crowded upon you a largely increasing amount of business, and rendered your session both long and arduous. Of the effect of your labors, it is not, perhaps, for me to speak. The future will be the best and truest judge thereof, and to that tribunal the result is committed. Whatever errors you may have made, I am confident you have been influenced by pure purposes, and by a common desire for the advancement and prosperity of our beloved State.

As I linger here, one thought fills me with painful regret. It is no light thing to break up this association. We separate,



perhaps to meet no more; and now, while I tender to you, individually and collectively, my grateful thanks for the various and repeated acts of kindness I have received from you, and, in words that are no matter of mere form, bid you all an affectionate farewell, my heart's desire is that you may have a safe and speedy return to your homes, to again meet and mingle with those you best love; that all your ways in the future may be ways of pleasantness, and all your paths, paths of peace; and that when hereafter you look back to the part you have borne in the deliberations of this body, it may be with the consciousness that, as the delegated representatives of free-men, you have ever been true to humanity, liberty, and right.

It only remains for me to declare that this House will do no further business other than for the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journal by the Clerk.

On motion of Mr. Caplis,

The House adjourned.

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*Lansing, Saturday, April 26, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The following members answered to their names:

Messrs. Breitung, Buell, Drew, Eggleston, Goodrich, Grant, Green, Harris, Kellogg, Lamb, Luce, R. C. Miller, Robinson, Shaw, Simpson, Striker, Van Aken, Welker, Speaker.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills and resolutions:

1. House bill No. 378, entitled

A bill relating to jail records and reports ;

2. House bill No. 374, entitled

A bill for the laying out, establishing, and constructing a State road in the county of Oscoda, and appropriating certain non-resident taxes to construct the same ;

3. House bill No. 218, entitled

A bill to amend section 11, of chapter 150 of the revised statutes of 1846, as amended by act 134 of the session laws of 1867, entitled "An act to amend sections 11 and 13 of chapter 150 of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws," approved March 27, 1867, said section being section 7443 of the compiled laws of 1871, relative to the fees of sheriffs ;

4. House bill No. 250, entitled

A bill to provide for the safe-keeping of the public moneys belonging to the county of Wayne, and prescribe the duties of the treasurer and the board of county auditors in relation thereto ;

5. House bill No. 302, entitled

A bill to provide for the construction of a State road in the county of Mecosta, to be called and known as the "Millbrook and Altona State road ;"

6. House bill No. 363, entitled

A bill to amend sections 50 and 51, being compiler's sections 6252, and 6253, chapter 195, compiled laws of 1871, relative to the action of ejectment ;

7. House joint resolution No. 23, entitled

A joint resolution "for the relief of St. Clair county, and to authorize the Board of State Auditors to settle with the bail of Henry Johr, late treasurer of St. Clair county ;

8. House bill No. 315, entitled

A bill to amend an act entitled "An act to encourage the erection and support of water-power manufactories," approved March 21, 1865, the same being chapter 221 of the compiled laws of 1871 ;

## 9. House bill No. 367, entitled

A bill to amend section 7435, chapter 139, of the compiled laws of 1871, relative to the salary of judges of probate ;

C. D. LUCE, *Chairman*.

Report accepted.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills :

## 1. House bill No. 371, entitled

A bill to establish a board of public works in and for the city of Detroit ;

## 2. House bill No. 343, entitled

A bill to amend "An act to revise the charter of the city of Lansing," approved February 3, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21 of title 3, section 11 of title 5, and section 17 of title 6, of an act entitled 'An act to revise the charter of the city of Lansing,' approved February 3, 1869," approved March 22, 1871 ;

## 3. House joint resolution, entitled

Joint resolution instructing the Commissioner of the State Land Office to make a settlement with and grant a certificate to Moses Kingsley ;

## 4. House bill No. 93, entitled

A bill to authorize railroad companies to convey their franchises and property, under certain circumstances ;

## 5. House manuscript bill, entitled

A bill to amend section 84 of chapter 136, being section 3653 of the compiled laws of 1871, relative to primary school ;

## 6. House bill No. 379, entitled

A bill for the relief of Henry Gilbert ;

## 7. House bill No. 357, entitled

A bill to amend an act entitled "An act to facilitate the commencement of suits against joint defendants residing in

several counties," the same being section 5748 of the compiled laws of 1871 ;

8. House bill No. 377, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof ;

9. House bill No. 372, entitled

A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act No. 404 of the session laws of 1869, approved April 2, 1869 ;

10. House bill No. 353, entitled

A bill establishing a State agency for the care of juvenile offenders.

C. D. LUCE, *Chairman.*

Report accepted.

On motion of Mr. Shaw,

The House adjourned.

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*Lansing, Monday, April 28, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and the following members answered to their names: Messrs. Breitung, Buell, Ferguson, Hosner, and Luce.

The Speaker addressed the House as follows:

GENTLEMEN OF THE HOUSE:—Although the great majority of our members have left us and gone to their homes, and the unexpired portion of our session is simply a matter of form for the completion of business heretofore transacted, it seems but fitting and proper that we should take this occasion to place on the journal of the House, evidence of our apprecia-

tion of the great loss we have just suffered, and pay that respect and tribute to him who has recently gone forever from our midst, demanded by his faithfulness and fidelity to the public interests.

During our session, a number of our members have been prostrated by sickness, and others have barely escaped death from accident; but until Saturday last the great destroyer had not broken our circle. This can be said no longer. Death, that makes no distinction, has now broken in upon us and taken from our midst one of the noblest and best of our associates.

Hon. Levi Walker, Representative from the second district of Genesee county, died at his boarding house in this city, on Saturday last, about 12 o'clock noon, after an illness of but a few day's duration.

It is no exaggeration to say that in the death of Mr. Walker this House has lost one of its best and ablest members. He was remarkable for those peculiar powers necessary for a thorough and just analysis of all measures submitted to him for consideration. Shrinking from no labor, with watchful attention to every detail, he was never satisfied until he had thoroughly mastered his subject. Then, with clearness of argument, and aptness of illustration, he presented his views, almost invariably to receive the sanction and approval of his associates.

I have no doubt his devotion to the public service cost him his life. At the head of the committee on State affairs, to which was committed many of the most important measures of the session, he labored incessantly, night and day, in the determination, himself, to fully understand the exact merits of every measure that come before his committee. Besides, he was so evenly balanced, and of such excellent judgment, that his opinion was largely sought for upon questions other than those submitted to his committee; and in more than one instance I was requested to, and did, place him upon select

committees, to whom were referred some of the leading measures of the session, as a sort of umpire in whose wise judgment the contending parties would be likely to have the utmost confidence. Always courteous and dignified in his bearing, never losing his temper or indulging in personalities.

"But one of tender spirit and delicate frame,  
Gentle in mien and mind,  
Of gentle womankind."

I have witnessed that he stood among us, a noble example of the faithful legislator and the considerate, courteous, and reliable statesman. In the language of another, "He was a man whom others could at all times *tie to* with safety."

We shall miss him in our councils; we shall want his application, his clearness, his stern integrity. His whole career here seems to me a fair exhibition of the power of industry, candor, and uprightness of character to win the respect and confidence of men. These characteristics wear like iron, and are vastly superior to that glittering brilliancy, which, like the meteor, dazzles but for the moment, and then passes away, to be felt and seen no more.

Our deceased colleague was in the fullness of years, having attained the age of 60. He was a lawyer by profession, and commanded a large practice with the full confidence of the community in which he resided. He unquestionably stood at the head of the bar in his county, and was at one time a prominent candidate for the office of Judge of the Supreme Court, receiving the united support of his own section of the State for that office. His family and immediate friends have our deep sympathy in this the hour of their trial.

Let us imitate those virtues which made him one of our recognized leaders, beloved and honored by all; and as we freely mingle our tears with those that sorrow for his loss, let us so act that it shall be said of each of us, as I believe it can justly be said of him, "well and faithfully done."

"Weep, ye who sorrow for the dead,  
Thus breaking hearts their pain relieve:  
And reverence, we, the tears ye shed,

And honored ye who grieve.  
The praise of those who sleep in earth,  
The pleasant memory of their worth,  
The hope to meet when life is past,  
Shall heal the tortured mind at last."

Mr. Ferguson spoke as follows:

MR. SPEAKER:—As I look around me and behold the vacant seats so lately occupied by the members of this body, and look to the opposite side of this hall and my eyes rest upon the seat recently filled so honorably and so ably by our most honored, esteemed, and respected associate, Judge Walker, realizing that it will never be filled by him again, the very silence that pervades this hall seems to echo back to my ears an additional solemnity to this otherwise sad and solemn occasion. But this is not the first time that a deep sentiment of sadness has shadowed forth its gloom over this body during the present session. Well do I remember, when another of our brothers lay near death's door at the city of Jackson, how the members of this house, listened in breathless suspense to the reading of telegram after telegram as they fell from your lips. But although the present occasion is not the first, it is nevertheless the saddest. At the time when the members of this body were bidding each other a final farewell in the best of feeling, forgiving all of ill-will that had grown out of the business transactions of the session, little did any of us realize that one of our number lay upon the very brink of eternity, and almost within the sound of our voices. But thus it was. He whose face we have been daily accustomed to behold in this hall, has been stricken down by the hand of Death. The Supreme Ruler of heaven and earth, to whom "every nation must bow, every tongue confess, and every knee must bend," has seen fit, in his wisdom, to come into our midst, and take from our presence one universally respected and esteemed by all; one whose counsel was highly prized, and whose uniform kindness, even temper, courtesy, industry, and forbearance, made him a universal favorite among his associates. In calling our brother hence, He who "doeth all things well" has, on this occasion,

entered the sacred portals of our nation, and claimed as his own a most honored and respected citizen. He has knocked at the door of State, entered the hall of the people's representatives, and claimed his victim from among the law-makers of the land. He has taken from the constituents of the deceased, their chosen representative. He has entered the family circle, and taken from it a loving and devoted husband, and kind and indulgent parent. But trusting fully in His wisdom, we bow in humble submission to His will, feeling the most tender and heartfelt sympathy for the afflicted family who have been called upon to make this great sacrifice, consoling them with the thought that "what is our loss, is his gain;" and breathing an earnest prayer that when done with the burdens, trials, crosses, and afflictions of life, we may go hence and meet our brother where sorrow, sickness, pain, and death, never enter; where laws are never broken and partings never come; where the morning and the evening are blended together in glorious harmony, and the light of God's eternal glory never ceases to shine.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills and joint resolutions:

1. House manuscript bill, entitled

A bill to provide for the collection and printing of the laws of the territory of Michigan.

2. House bill No. 327, entitled

A bill to provide for special appeals from decrees in chancery.

3. House bill No. 236, entitled

A bill for the limitation of actions relating to real estate in certain cases, by persons absent from the United States.

4. House manuscript bill, entitled

A bill to establish and organize a police court in the city of Grand Rapids.



## 5. House manuscript joint resolution, entitled

Joint resolution authorizing the board of State Auditors to settle with the several State reporters, and to collect the amounts due from them to the State.

## 6. House bill No. 51, entitled

A bill to repeal an act entitled "An act to provide for a tax upon dogs."

## 7. House manuscript bill, entitled

A bill to re-incorporate the village of Fowlerville ;

## 8. House bill No. 366, entitled

A bill to amend an act entitled "An act to incorporate the village of St. Joseph, approved March 7, 1834, and the acts amendatory thereto ;

## 9. House bill No. 373, entitled

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, and appropriating certain non-resident highway taxes therefor ;

## 10. House bill No. 339, entitled

A bill to authorize the acceptance of trusts, making the State trustee for insane persons, and to provide for the execution of such trusts ;

## 11. House bill No. 289, entitled

A bill to provide for the taxation of persons, associations, and corporations doing business in this State, in running sleeping and palace cars over or upon the several railroads in this State, and party, or parties owning, running, or being interested in any "special," or "fast," or "through," or "colored," or other freight line (not owned exclusively by railroad companies), or any car-loaning company doing business in this State, or running cars over any of the railroads in this State ;

## 12. House bill No. 199, entitled

A bill to amend an act entitled "An act to provide for a uniform assessment of property and for the collection and return

of taxes thereon," approved April 6, 1869, by adding one new section thereto ;

13. House manuscript joint resolution, entitled

A joint resolution for the relief of George Krouse.

14. House bill No. 257, entitled

A bill to amend section 4 of an act entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases," being section 4253 in chapter 150 of the compiled laws of 1871 ;

15. House manuscript bill, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 14, 1871 ;

Also, the following concurrent resolution :

*Resolved* (the Senate concurring), That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature ; and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for such services the sum of five hundred dollars ; and that the compiler of the Legislative Manual shall receive for his services as such compiler, the sum of two hundred and fifty dollars.

C. D. LUCE, *Acting Chairman*.

Report accepted.

On motion of Mr. Hosner,

The House adjourned.

*Lansing, Tuesday, April 29, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: not a quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills and joint resolutions:

1. House bill No. 56, entitled

A bill to amend act No. 57 of the session laws of 1850, entitled "An act to incorporate the Plymouth Plank Road Company," approved March 5, 1850, by adding thereto a new section to stand as section 7;

2. House joint resolution, entitled

A joint resolution to authorize the Commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section No. 16, in township No. 8 south, of range No. 5 east, to George W. Blevin, assignee of primary school land certificate No. 5961;

3. House bill No. 280, entitled

A bill to bar the right of dower of insane, imbecile, or idiotic married women;

4. House bill No. 63, entitled

A bill to provide for licensing the keeping of dogs;

5. House bill No. 334, entitled

A bill establishing a lien for labor and services upon logs and timber:

6. House bill No. 355, entitled

A bill to amend section 6, being section 6794, chapter 215, of the compiled laws of 1871, relative to certain liens upon real property;

7. House manuscript bill, entitled

A bill to detach certain territory from the townships of

Hamtramck and Springwells, and to annex the same to the city of Detroit;

8. House bill No. 42, entitled

A bill to amend section 57 of chapter 176, being section 5093, of the compiled laws of 1871, relative to cases in chancery;

9. House joint resolution No. 24, entitled

A joint resolution authorizing the payment of compensation to the heirs or heirs-at-law of Darius Clark for services performed by him as agent of the State of Michigan, in the city of New York, during the late rebellion.

10. House bill No. 72, entitled

A bill for the incorporation of cities;

11. House bill No. 124, entitled

A bill for the incorporation of villages;

Also, the following concurrent resolution:

*Resolved by the House of Representatives* (the Senate concurring), That the amount of postage stamps furnished by the postmaster of Lansing to the State printer, for the prepayment of postage on the daily journals, in accordance with a concurrent resolution passed early in the session, be paid by the State Treasurer on the warrant of the Auditor General on the presentation of the bill, duly certified, by S. D. Bingham, postmaster, and by George F. Strong, foreman of the State bindery, that said stamps have been furnished and used for that purpose.

C. D. LUCE, *Acting Chairman.*

Report accepted.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, April 29, 1873.* }

*To the House of Representatives:*

I have this day approved, and deposited with the Secretary of State, the following:

1. An act for the limitation of actions relating to real estate in certain cases by persons absent from the United States ;
2. An act to provide for the collection and printing of the laws of the territory of Michigan ;
3. An act to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 7, 1834, and the acts amendatory thereto ;
4. An act for the incorporation of cities ;
5. An act for the incorporation of villages ;
6. An act to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850 ; as amended by the several acts amendatory thereof, approved March 14, 1871 ;
7. Joint resolution authorizing the Board of State Auditors to settle with the several State reporters and to collect the amounts due from them to the State ;
8. Joint resolution for the relief of George Krouse ;
9. Joint resolution to authorize the Commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section No. 16, in township No. 8 south, of range No. 5 east, to George W. Blevin, assignee of primary school land certificate No. 5961 ;
10. An act to amend section 4 of an act entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases, being section 4253, in chapter 150 of the compiled laws of 1871 ;
11. An act to amend an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, by adding a new section thereto ;
12. An act for the relief of Henry Gilbert ;
13. An act for the taxation of persons, associations, and corporations doing business in this State in running sleeping and palace cars over or upon the several railroads in this State, and party or parties owning, running, or being interested

in any "special," or "fast," or "through," or "colored," or other freight line (not owned exclusively by railroad companies), or any car-loaning company doing business in this State, or running cars over any of the railroads in this State;

14. An act to authorize the acceptance of trust making the State trustee for insane persons, and to provide for the execution of such trusts;

15. An act establishing a State agency for the care of juvenile offenders;

Also, the following concurrent resolution:

*Resolved by the House of Representatives* (the Senate concurring), That the amount of postage stamps furnished by the postmaster of Lansing to the State printer, for the prepayment of postage on the daily journals, in accordance with a concurrent resolution passed early in the session, be paid by the State Treasurer on the warrant of the Auditor General, on the presentation of the bill, duly certified, by S. D. Bingham, postmaster, and by George F. Strong, foreman of the State bindery, that said stamps have been furnished and used for that purpose.

JOHN J. BAGLEY.

The message was laid on the table.

On motion of Mr. Harris,

The House adjourned.

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*Lansing, Wednesday, April 30, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: not a quorum present.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, April 29, 1873.* }

*To the House of Representatives:*

I have this day approved, and deposited in the office of the Secretary of State the following:

1. An act to establish a board of public works in and for the city of Detroit ;

2. An act to detach certain territory from the townships of Hamtramck and Grosse Point, and to annex the same to the city of Detroit ;

3. An act to amend section 84 of chapter 136, being section 3653 of the compiled laws of 1871, relative to primary schools ;

4. An act to establish the right to the care and custody of minor children in case of the separation of husband and wife, being the father and mother of said minor children ;

5. An act to bar the right of dower of insane, imbecile, or idiotic married women ;

6. An act to authorize railroad companies to convey their franchises and property under certain circumstances ;

7. An act to amend section 11 of chapter 150 of the revised statutes of 1846, as amended by act 134 of the session laws of 1867, entitled " An act to amend sections 11 and 13 of chapter 150 of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws," approved March 27, 1867, said section being section 7443 of the compiled laws of 1871, relative to the fees of sheriffs ;

8. An act to amend sections 50 and 51, being compiler's sections 6252 and 6253, chapter 195, compiled laws of 1871, relative to the action of ejectment ;

9. An act to amend an act entitled " An act to facilitate the commencement of suits against joint defendants residing in several counties," the same being section 5748 of the compiled laws of 1871 ;

10. An act to amend act No. 57 of the session laws of 1850, entitled " An act to incorporate Plymouth Plank Road Company," approved March 5, 1850, by adding thereto a new section, to stand as section 7 ;

11. An act to amend section 57 of chapter 176, being section 5093 of the compiled laws of 1871, relative to cases in chancery ;

12. An act to establish a lien for labor and services upon logs and timber;

13. An act to amend section 6, being section 6794, chapter 215 of the compiled laws of 1871, relative to certain liens upon real property;

14. Concurrent resolution authorizing the Clerk of the House and Secretary of the Senate to prepare for publication journals and documents of the present Legislature, and for their payment, and for the payment of the compiler of the manual.

JOHN J. BAGLEY.

The message was laid on the table.

On motion of Mr. F. Walker,

The House adjourned.

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*Lansing, Thursday, May 1, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: not a quorum present.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, April 30, 1873.* }

*To the House of Representatives:*

I have this day approved, and deposited with the Secretary of State, the following:

1. An act to revise and amend an act entitled "An act to encourage the erection and support of water-power manufactories," approved March 21, 1865, the same being chapter 221 of the compiled laws of 1871;

2. An act to amend section 7435, chapter 139 of the compiled laws of 1871, relative to the salary of judges of probate;



3. An act to establish and organize a police court in the city of Grand Rapids;

4. An act to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act 404 of the session laws of 1869, approved April 2, 1869;

5. An act for the laying out, establishing, and constructing a State road in the county of Oscoda, and appropriate certain non-resident taxes to construct the same;

6. An act to repeal an act entitled "An act to provide for a tax upon dogs;"

7. An act to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof;

8. An act to provide for licensing the keeping of dogs;

9. An act to amend "An act to revise the charter of the city of Lansing," approved February 3, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21 of title 3, section 11 of title 5, and section 17 of title 6 of an act entitled 'An act to revise the charter of the city of Lansing,' approved February 3, 1869," approved March 22, 1871;

10. House joint resolution instructing the Commissioner of the State Land Office to make a settlement with and grant a certificate to Moses Kingsley;

11. Joint resolution for the relief of St. Clair county, and to authorize the Board of State Auditors to settle with the bail of Henry Johr, late treasurer of St. Clair county;

12. An act to incorporate the village of Fowlerville.

JOHN J. BAGLEY.

The message was laid on the table.

The hour of 12 o'clock M. having arrived and no further business appearing to be transacted, the Speaker declared the House adjourned *sine die*.

HOUSE OF REPRESENTATIVES, {  
*Lansing, May 1, 1873.* }

I hereby certify that the foregoing is a correct journal of the proceedings of the House, of the Legislature of Michigan, for the year 1873.

D. L. CROSSMAN,

*Clerk of the House of Representatives.*

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I N D E X.

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introduced by Mr. Chamberlain and referred com. Ref. School and State Prison .....	810
reported and referred com. whole .....	—
reported and placed third reading .....	2075
passed—immediate effect .....	2164-5
returned from Senate and referred com. E. & E. ....	2597
reported enrolled .....	2668
approved .....	2711
No. 320. A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 17, 1871, being section 2441, chapter 75, of the compiled laws of 1871 :	
introduced by Mr. F. Walker and referred com. railroads ..	193
reported and referred com. whole .....	1430
reported and placed third reading .....	2075
passed—immediate effect .....	2167-0
No. 321. A bill to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relating to judgments and executions :	
introduced by Mr. Hoyt and referred com. judiciary .....	779
reported, and referred com. whole .....	1468
reported, and placed third reading .....	2075
passed .....	2172
returned from Senate, and referred com. E. & E. ....	2450
reported enrolled .....	2488
approved .....	2540
No. 322. A bill to amend section 43 of an act entitled "An act to revise the charter of the village of Hudson," approved February 27, 1867 :	
introduced by Mr. Smith and referred com. munic. corp. ...	824
reported and referred com. whole .....	1469
com. whole discharged and placed third reading .....	1752
passed with immediate effect .....	1784
returned from Senate and referred com. E. & E. ....	2307
reported enrolled .....	2581
approved .....	2408
No. 323. A bill to amend sections fourteen, twenty-four, fifty-seven, and eighty-four of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act number two hundred and forty-nine of the session laws of 1871 :	
introduced by Mr. Lockwood and referred com. munic. corp. ....	819
reported and referred com. whole .....	1469
com. whole discharged, and placed third reading .....	1752
passed with immediate effect .....	1785

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No. 323. A bill to amend sections fourteen, twenty-four, fifty-seven, and eighty-four of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act number two hundred and forty-nine of the session laws of 1871 :	
returned from Senate and referred com. E. & E.....	2050
reported enrolled.....	2135
approved.....	2539
No. 324. A bill to provide for the payment of expenses of circuit judges while discharging the duties of their respective offices :	
introduced by Mr. Ferguson and referred com. judiciary....	813
reported and referred com. whole.....	1468
reported and placed third reading.....	2075
lost.....	2172-3
No. 325. A bill to amend section 9 of article 6, section 1 article 10, section 1 article 14, and section 1 of article 20, of act number 233 of session laws of 1871, entitled "An act to incorporate the village of Vernon," approved March 18, 1871 :	
introduced to Mr. Bailey and referred com. munic. corp....	818
reported and referred com. whole.....	1470
com. whole discharged and placed third reading.....	1752
passed with immediate effect.....	1786
returned from Senate and referred com. E. & E.....	2014
reported enrolled.....	2082
approved.....	2137
No. 326. A bill to provide for the proper labeling of matches :	
introduced by Mr. Perry and referred com. pub. health....	884
reported and referred com. whole.....	1502
com. whole discharged and placed third reading.....	1753
tabled.....	1834
taken from table and placed third reading.....	1918
lost, reconsidered and tabled.....	1924-5
taken from table, passed.....	2093
non-concurred in by Senate—tabled.....	2491
No. 327. A bill to provide for special appeals from decrees in chancery ;	
introduced by Mr. Grant and referred com. judiciary.....	712
reported and referred com. whole.....	1501
reported and placed third reading.....	2075
passed.....	2178-4
returned from Senate, and tabled.....	2456
taken from table, amendments concurred in, and referred com. E. & E.....	2671-2
reported enrolled.....	2720
No. 328. A bill to amend section 5464 of the compiled laws of 1871, being section 216 of chapter 178 of said compiled laws, relative to justices' courts :	
introduced by Mr. Shaw, and referred com. judiciary.....	710
reported and referred com. whole.....	1500
com. whole discharged and placed third reading.....	1753
passed.....	1787
No. 329. A bill to amend section 4269 of the compiled laws of 1871, in relation to estates in dower :	
introduced by Mr. Shaw and referred com. judiciary.....	710
reported and referred com. whole.....	1501
reported and placed third reading.....	2075
lost.....	2174-5
reconsidered and recommitted.....	2202-8
reported and referred com. whole.....	2298
reported and placed third reading.....	2477
lost.....	2523-4

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No. 330. A bill to establish the right to the care and custody of minor children in case of the separation of husband and wife, being the father and mother of said minor children :	
introduced by Mr. Hoyt and referred com. judiciary.....	779
reported and referred com. whole.....	1500
reported and placed third reading.....	2075
passed.....	2175-6
returned from Senate and referred com. E. & E.....	2584-5
reported enrolled.....	2668
No. 331. A bill to amend section 5246 of the compiled laws of 1871, being an act entitled "An act to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation :	
introduced by Mr. Shaw and referred com. judiciary.....	718
reported and referred com. whole.....	1499
reported and placed third reading.....	2075
lost.....	2176-7
No. 332. A bill to amend sections 2, 3, 4, 5, 6, 7, 8, and 9 of chapter 24 of the compiled laws of 1871, being compiler's sections 1217, 1218, 1219, 1220, 1221, 1222, 1223, and 1224, relating to the assessment of highway taxes :	
introduced by Mr. O'Dell and referred com. roads and bridges.....	811
reported and referred com. whole.....	1528
com. whole discharged and recommitted.....	1849
reported and tabled.....	2248
No. 333. A bill to amend sections 1 and 2 of chapter 29, being sections 1823 and 1824 of the compiled laws of 1871, relative to the liability of townships or corporations neglecting to keep bridges or culverts in repair :	
introduced by Mr. Sessions and referred com. roads and bridges.....	780
reported and referred com. whole.....	1528-9
reported, and placed third reading.....	2076
passed.....	2182-3
No. 334. A bill establishing a lien for labor and services upon logs and timber :	
introduced by Mr. Fey and referred com. lumber and salt.....	767
reported and referred com. whole.....	1538
reported and placed third reading.....	2077
passed.....	2204-5
returned from Senate and referred com. E. & E.....	2684-5
reported enrolled.....	2729
approved.....	2734
No. 335. A bill to amend sections 2, 4, 5, and 6 of an act entitled "An act to provide for laying out and constructing a State road from the northern terminus of the Ovid and St. Charles State road northerly, to intersect the St. Louis and Saginaw plank road, and appropriating certain non-resident highway taxes for the construction of the same," approved March 18, 1871, being act No. 354 of the session laws of the year 1871 :	
introduced by Mr. — and referred com. roads and bridges.....	—
reported and referred com. whole.....	1570
com. whole discharged, and placed third reading.....	1744
passed with immediate effect.....	1783
returned from Senate and referred com. E. & E.....	2457
reported enrolled.....	2488
approved.....	2662

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No. 336. A bill to define a legal day's work :	
introduced by Mr. Buell and referred com. State affairs.....	823
reported and referred com. whole.....	1540
reported and placed third reading.....	2464
lost.....	2501
No. 337. A bill to organize union school district of the city of Alpena :	
introduced by Mr. Lockwood and referred com. munic.	
corp.....	775
reported and referred com. whole.....	1469
com. whole discharged and placed third reading.....	1753
passed with immediate effect.....	1788
returned from Senate and referred com. E. & E.....	1881
reported enrolled.....	1904
approved.....	2083
No. 338. A bill to incorporate the village of L'Anse, in the county	
of Houghton :	
introduced by Mr. Hoar and referred com. munic. corp....	818
reported and referred com. whole.....	1539
com. whole discharged and placed third reading.....	1848
passed—immediate effect.....	1891
returned from Senate and referred com. E. & E.....	2061-8
reported enrolled.....	2247
approved.....	2443
No. 339. A bill to authorize the acceptance of trust, making the	
State trustees for insane persons and to provide for the execu-	
tion of such trusts :	
introduced by Mr. Bonine and referred com. judiciary....	768
reported and referred com. whole.....	1590
reported and placed third reading.....	2238
passed—immediate effect.....	2272
returned from Senate and referred com. E. & E.....	2595-7
reported enrolled.....	2727
approved.....	2731
No. 340. A bill to amend an act entitled "An act to provide for the	
uniform assessment of property, and for the collection and	
return of taxes thereon," being sections 54, 59, 67, 70, 71, 73,	
74, 75, 77, 78, 79, 80, 81, 82, 84, 87, 88, 89, 90, 91, 92, 98, 95,	
99, 100, 102, 103, 104, 114, 117, 118, 119, 120, 121, 122, 123,	
124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 149, 162,	
and to repeal sections 68, 76, 83, 94, 96, 97, 98, 105, 106, 107,	
108, 109, 110, 111, 112, 113, and 118, of chapter 21, being sec-	
tions 1020, 1025, 1033, 1036, 1037, 1039, 1040, 1041, 1043, 1044,	
1045, 1046, 1047, 1048, 1050, 1053, 1054, 1055, 1056, 1057,	
1058, 1059, 1061, 1065, 1066, 1068, 1069, 1070, 1080, 1083,	
1085, 1086, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095,	
1096, 1097, 1098, 1099, 1100, 1115, 1121, 1128, 1180, 1084,	
1042, 1049, 1060, 1062, 1063, 1064, 1071, 1072, 1073, 1074,	
1075, 1076, 1077, 1078, 1079, 1084, of the compiled laws of	
1871 :	
introduced by Mr. Fancher and referred com. ways and	
means.....	452
reported and referred com. whole.....	1518
made special order.....	1838-9
reported and placed third reading.....	2001
tabled.....	2016
taken from table and placed third reading.....	2127
passed.....	2209-11
returned from Senate, non-concurred in—tabled.....	2689

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No. 341. A bill to provide for the taxation of copper for county and township purposes :	
introduced by Mr. Hoar and referred com. judiciary .....	838
reported and referred com. whole .....	1585
reported and placed third reading .....	1850
passed—immediate effect .....	1900
returned from Senate and referred com E. & E. ....	2014
reported enrolled .....	2046
approved .....	2187
No. 342. A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2441, chapter 75 of the compiled laws of 1871 :	
introduced by Mr. F. Walker and referred com. railroads ..	184
reported and referred com. whole .....	1490
reported, stricken out, title tabled .....	2238
No. 343. A bill to amend an act to revise the charter of the city of Lansing, approved February 8d, 1869, as amended by an act entitled "An act to amend section 3 of title 1, section 6 of title 2, sections 2, 9, 16, and 21, of title 3, section 7 of title 4, section 11 of title 5, and section 17 of title 6, of an act entitled 'An act to revise the charter of the city of Lansing,' approved February 3d, 1869," approved March 22d, 1871 :	
introduced by Mr. Bartholomew and referred com. munic. corp. ....	808
reported and referred com. whole .....	1658
com. whole discharged and recommitted .....	2017
reported and referred com. whole .....	2047-8
com. whole discharged and placed third reading .....	2235
passed—immediate effect .....	2270-1
returned from Senate and referred com. E. & E. ....	2597-9
reported enrolled .....	2721
approved .....	2735
No. 344. A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to the "Manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22 :	
introduced by Mr. Welker and referred com. State affairs ..	828
reported and referred com. whole .....	1662
reported and referred com. relig. and benev. soc. ....	2238
reported and placed third reading .....	2246-7
passed .....	2278-9
returned from Senate and referred com. E. & E. ....	2546
reported enrolled .....	2581
approved .....	2662
No. 345. A bill to amend section 19 of chapter 69, being section 2152 of the compiled laws of 1871, being section 19 of an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage," approved February 8, 1855 :	
introduced by Mr. Blackman and referred com. St. aff. ....	776
reported and referred com. whole .....	1660
reported and placed third reading .....	2243
lost .....	2275-6



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No. 346. A bill to provide for the appointment of specialtax collectors; to provide for a special tax upon persons engaged in the sale of intoxicating and malt liquors; and to repeal chapter 69 of the compiled laws of 1871, entitled "The manufacture and sale of intoxicating drinks as a beverage," and all acts amendatory thereto, and all acts inconsistent with the provisions of this act:	
introduced by Mr. Eggleston and referred com. State affairs.....	757
reported and referred com. whole.....	1660
reported and placed third reading.....	2286
tabled.....	2323
No. 347. A bill to provide a system of taxation upon persons or corporations engaged in the manufacture or sale of spirituous or intoxicating liquors:	
introduced by Mr. Breitung, and referred com. State affairs.....	763
reported and referred com. whole.....	1660
reported, stricken out, title tabled.....	2243
No. 348. A bill for the repeal of chapter 69 and the acts supplemental thereto and amendatory thereof, being an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage:"	
introduced by Mr. Breitung and referred com. State affairs.....	762
reported and referred com. whole.....	1660
reported, stricken out, title tabled.....	2243
No. 349. A bill to enlarge the corporate limits of the city of Detroit, and to create an additional ward in said city:	
introduced by Mr. Speed and referred com. munic. corp.....	817-18
reported and referred com. whole.....	1616
com. whole discharged and placed third reading.....	1848
passed—title amended—immediate effect.....	1893-5
returned from Senate and referred com. E. & E.....	2154
reported enrolled.....	2194
approved.....	2223
No. 350. A bill to detach townships 27 north, of ranges 7 and 8 east, from the township of Harrisville, and attach the same to the township of Alcona, in the county of Alcona:	
introduced by Mr. Lockwood and tabled.....	755
taken from table and referred com. towns and counties.....	990
reported and referred com. whole.....	1704
com. whole discharged and placed third reading.....	1848
passed—immediate effect.....	1895
returned from Senate and referred com. E. & E.....	1918
reported enrolled.....	1964
approved.....	2005
No. 351. A bill to provide for the preparation and compilation of a convenient index to all the local and personal laws and joint and concurrent resolutions of this State:	
introduced by Mr. Rose and referred com. State Lib.....	756
reported and referred com. whole.....	1703
reported, stricken out, title tabled.....	2243
No. 352. A bill to compel railroads to connect on equitable terms:	
introduced by Mr. F. Walker and referred com. railroads....	184
reported and referred com. whole.....	1762
reported and tabled.....	2242
taken from table and placed third reading.....	2381
tabled.....	2375

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No. 353. A bill establishing a State agency for the care of juvenile offenders:	
introduced by Mr. Gilmore and referred com. Ref. School and St. Prison.....	887
reported and referred com. whole.....	1704
reported and placed third reading.....	2242
passed—immediate effect.....	2373
returned from Senate and referred com. E. & E.....	2588-9
reported enrolled.....	2722
approved.....	2731
No. 354. A bill to amend sections 2, 3, 14, and 16 of an act entitled "An act to establish the Detroit House of Correction and authorize the confinement of convicted persons therein," approved March 15, 1861:	
introduced by Mr. Speed and referred com. munic. corp.....	775-8
reported and referred com. whole.....	1706
reported and placed third reading.....	2389
tabled.....	2412-13
No. 355. A bill to amend section 6, being section 6794, chapter 215, of the compiled laws of 1871, relative to certain liens upon real property:	
introduced by Mr. Grant and referred com. judiciary.....	760
reported and referred com. whole.....	1732
reported and placed third reading.....	2286
passed—immediate effect.....	2319-20
returned from Senate and referred com. E. & E.....	2611
reported enrolled.....	2729
approved.....	2734
No. 356. A bill to amend section 1 of chapter 153 of the compiled laws of 1871, relative to title to real property by descent, being section 4309:	
introduced by Mr. Speed and referred com. judiciary.....	764
reported and referred com. whole.....	1776
reported, stricken out, title tabled.....	2390
No. 357. A bill to amend an act entitled "An act to facilitate the commencement of suits against joint-defendants residing in several counties," the same being section 5748 of the compiled laws of 1871:	
introduced by Mr. Hoyt and referred com. judiciary.....	178
reported and referred com. whole.....	1773
reported and placed third reading.....	2389
passed—immediate effect.....	2414-15
returned from Senate and referred com. E. & E.....	2609-10
reported enrolled.....	2721
No. 358. A bill to amend section 7, being section 4407, chapter 157 of the compiled laws of 1871, relative to inventory and collection of the effects of deceased persons:	
introduced by Mr. Grant and referred com. judiciary.....	767
reported and referred com. whole.....	1774
com. whole discharged and tabled.....	2330
No. 359. A bill to amend section 39 of chapter 177 of the compiled laws of 1871, being compiler's section 5230, relative to the probate courts:	
introduced by Mr. Robertson and referred com. judiciary.....	808
reported and referred com. whole.....	1771
reported and placed third reading.....	2390
passed.....	2420-1
returned from Senate and referred com. E. & E.....	2612-13
reported enrolled.....	2668
approved.....	2711

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No. 360. A bill to provide for the assessment and taxation of lands known as railroad lands:	
introduced by Mr. Rose and referred com. railroads.....	835
reported and referred com. whole.....	1768-9
com. whole discharged and placed third reading.....	2222
passed.....	2227-9
immediate effect.....	2233
returned from Senate and referred com. E. & E.....	2458
reported enrolled.....	2488
approved.....	2473
No. 361. A bill abolishing estates for life in dower and tenancy by courtesy, and creating in lieu thereof estates in fee simple, and further defining the rights, duties and obligations of husband and wife:	
introduced by Mr. Shaw, and referred com. judiciary....	808
reported and referred com. whole.....	1775
reported and placed third reading.....	2390
passed.....	2410-20
No. 362. A bill to amend section 2 of chapter 201, being section 6398 of the compiled laws of 1871, relative to proceedings against debtors by attachment:	
introduced by Mr. Shaw and referred com. judiciary.....	202
reported and referred com. whole.....	1772
reported and placed third reading.....	2389
passed—Immediate effect.....	2418-19
No. 363. A bill to amend sections 50 and 51, being compiler's sections 6252, and 6253, chapter 195, compiled laws of 1871, relative to the action of ejectment:	
introduced by Mr. L. Walker and referred com. judiciary.....	—
reported and referred com. whole.....	1817
reported and placed third reading.....	2389
passed—immediate effect.....	2415-16
returned from Senate and referred com. E. & E.....	2662-3
reported enrolled.....	2720
approved.....	2731
No. 364. A bill for the better protection of railway employes, and to provide compensation for personal injury or loss of life while in the discharge of their duties:	
introduced by Mr. Welker and referred com. railroads....	756
reported and referred com. whole.....	1818
reported, stricken out, title tabled.....	2391
No. 366. A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 17th, 1834, and the acts amendatory thereto:	
introduced by Mr. Chamberlain, and tabled.....	322
taken from table and referred com. munc. corp.....	—
reported, and referred com. whole.....	1858
reported and placed third reading.....	2463
passed—immediate effect.....	2520-1
returned from Senate and referred com. E. & E.....	2601-2
reported enrolled.....	2727
approved.....	2731
No. 367. A bill to amend section 7435, chapter 130, of the compiled laws of 1871, relative to the salary of judges of probate:	
introduced by Mr. Shaw, and referred com. judiciary.....	709
reported and referred com. whole.....	1876
reported and placed third reading.....	2443

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No. 367. A bill to amend section 7435, chapter 139, of the compiled laws of 1871, relative to the salary of judges of probate :	
passed.....	2519
returned from Senate—non-concurred in—tabled.....	2634
Senate request returned.....	2646-7
returned from Senate and referred com. E. & E.....	2653
reported enrolled.....	2721
approved.....	2734
No. 368. A bill to amend section 7436 of the compiled laws of 1871, being an act entitled "An act to provide for the salary of probate judges :	
introduced by Mr. Shaw and referred com. judiciary.....	713
reported and referred com. whole.....	1875
reported—stricken out—title tabled.....	2465
No. 369. A bill to establish a State Reformatory :	
introduced by Mr. Parsons and referred com. St. Prison and Reform School.....	810
reported and referred com. whole.....	2021-2
com. whole discharged and placed third reading.....	2360
lost.....	2327-8
No. 370. A bill to regulate the hiring or letting of contracts for State Prison labor :	
introduced by Mr. Bottomley and referred com. State Prison	838
reported and referred com. whole.....	1869
reported and placed third reading.....	2463
lost.....	2516-17
No. 371. A bill to establish a board of public works in and for the city of Detroit :	
introduced by Mr. Speed, and referred com. munic. corp....	820
reported and referred com. whole.....	—
com. whole discharged and recommitted.....	2074
com. munic corp. discharged.....	2076
reported and referred com. whole.....	2233
com. whole discharged and placed third reading.....	2233
passed.....	2312-14
returned from Senate—amendments non-concurred in.....	2405-6
Senate insists—com. conf. appointed.....	2475
reported and concurred in.....	2537-9
returned from Senate and referred com. E. & E.....	2586
reported enrolled.....	2721
approved.....	2733
No. 372. A bill to amend an act entitled "An act to provide for the laying out and establishing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act number 304 of the session laws of 1869, approved April 2, 1869 :	
introduced by Mr. Lockwood and referred com. roads and bridges.....	499
reported and referred com. whole.....	2022-32
com. whole discharged and placed third reading.....	2257
tabled.....	2379-80
taken from table and placed third reading.....	2381-2
passed.....	2375-6
returned from Senate.....	2607
given immediate effect and referred com. E. & E.....	2608
reported enrolled.....	2722
approved.....	2735

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No. 373. A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, and appropriating certain non-resident highway taxes therefor:	
introduced by Mr. Lockwood and referred com. roads and bridges.....	499
reported and referred com. whole.....	2022-32
com. whole discharged and placed third reading.....	2257
tabled.....	2281
taken from table and placed third reading.....	2332
passed.....	2378
returned from Senate, given immediate effect, and referred com. E. & E.....	2606
reported enrolled.....	2727
No. 374. A bill for the laying out, establishing, and constructing a State road in the county of Oscoda, and appropriating certain non-resident taxes to construct the same:	
introduced by Mr. Lockwood and referred com. roads and bridges.....	556
reported and referred com. whole.....	2022-32
tabled.....	2281
taken from table and placed third reading.....	2332
passed.....	2378
returned from Senate.....	2606-7
given immediate effect and referred com. E. & E.....	2607
reported enrolled.....	2720
approved.....	2735
No. 375. A bill regulating freights on railroads:	
introduced by Mr. Climie, and referred com. railroads....	664
reported and referred com. whole.....	2085
reported and placed third reading.....	2237
recommitted.....	2263-4
reported and placed third reading.....	2397-8
recommitted.....	2423-5
reported and passed.....	2426
returned from Senate, and amendments non-concurred in.....	2695-6
Senate insist—bill tabled.....	2700
No. 376. A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies, approved April 18, 1871, being section 2441 of compiled laws of 1871:	
introduced by Mr. Ferguson and referred com. railroads....	766
reported and referred com. whole.....	1430
reported, stricken out, title tabled.....	2465
No. 377. A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof:	
introduced by Mr. Speed and referred com. munic. corp....	817
reported, and referred com. whole.....	2045
reported and recommitted.....	2465
reported and placed third reading.....	2496
tabled.....	2530
taken from table, passed, immediate effect.....	2550-1
returned from Senate and referred com. E. & E.....	2610
reported enrolled.....	2722
approved.....	2735

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No. 378. A bill relating to jail records and reports:	
introduced by Mr. Walton and referred com. State Prison.	809
reported and referred com. whole.....	2079
com. whole discharged and placed third reading.....	2234
passed—immediate effect.....	2268-9
returned from Senate and referred com. E. & E.....	2587-8
reported enrolled.....	2719-20
approved.....	2711
No. 379. A bill for the relief of Henry Gilbert:	
introduced by Mr. Parsons and referred com. State Prison	2464
reported and referred com. whole.....	2128
reported and recommitted.....	2464
reported and referred com. whole.....	2470
passed.....	2561-2
returned from Senate, and referred com. E. & E.....	2696
reported enrolled.....	2721
approved.....	2731
No. 380. A bill to authorize the State Pomological Society to employ an entomologist, and to make provision for his pay- ment:	
introduced by Mr. Briggs, and referred com. horticulture.	839
reported and referred com. whole.....	2194
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No. 109. A bill to legalize the action of the joint board of school inspectors in the formation of school district No. 1, Bloomingtondale and Columbia, in the county of Van Buren :	
received and referred com. education.....	1141
reported and placed third reading.....	1989
passed—immediate effect.....	1960-1
No. 110. A bill to amend section 708 of the compiled laws of 1871, relating to the annual return of township officers by township clerks :	
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No. 111. A bill to amend section 543 of the compiled laws of 1871, relating to the duties of county clerk :	
received and referred com. State affairs.....	1141
reported and referred com. whole.....	1200
reported and placed third reading.....	1699
passed.....	1719
given immediate effect.....	1741
No. 112. A bill to provide for the transfer of the insane inmates of the Soldiers' Home at Detroit, or any county jail in this State, who have been soldiers or marines of the United States, to the credit of the State of Michigan, and who are not criminals, to the Insane Asylum at Kalamazoo :	
received and referred com. Insane Asylum.....	1147
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reported and placed third reading.....	2074
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No. 113. A bill to authorize the donation by gift, will, or otherwise, of money for the care, maintenance, and support of certain insane persons :	
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No. 114. A bill to authorize the transfer of certain unexpended balances of appropriations heretofore made for the "Soldiers' National Cemetery," at Gettysburg, and for the "Antietam National Cemetery:"	
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No. 115. A bill to amend section 8 of chapter 69 of the compiled laws of 1871, relative to "the manufacture and sale of intoxicating drinks as a beverage:"	
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No. 116. A bill to further amend section 6 of act number 92 of the session laws of 1871, entitled "An act to amend sections 6, 24, 26, 28, 29, 31, 33, and 34, of act number 136 of session laws of 1869, entitled 'An act relative to the organization and powers of fire and marine insurance companies transacting business within this State,'" approved April 3, 1869, and to add two new sections thereto to stand as sections 40 and 41, approved April 12, 1871:	
received and referred com. insurance.....	1146
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No. 117. A bill to provide for the appointment of a stenographer for the recorder's court of the city of Detroit:	
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reported and referred com. whole.....	1592
com. whole discharged and placed third reading.....	1690
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No. 123. A bill to amend an act entitled "An act to amend an act entitled 'An act to amend an act to incorporate the city of Detroit gas-light company,'" approved March 26, 1867:	
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